

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 17 1934 NUMBER 230

Washington, Tuesday, November 25, 1952

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess-Profits Taxes [Regs. 111; T. D. 5947]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDIT FOR TAXES OF FOREIGN CORPORATIONS

On September 27, 1952, there was published in the FEDERAL REGISTER (17 F. R. 8634) a notice of proposed rule making to conform Regulations 111 (26 CFR Part 29) to section 332 of the Revenue Act of 1951, relating to credit for taxes of foreign corporations, approved October 20, 1951. No objection to the rules proposed having been received, the amendments set forth below are hereby adopted.

PARAGRAPH 1. There is inserted immediately preceding § 29.131 the following:

SEC. 332. CREDIT FOR TAXES OF FOREIGN CORPORATIONS (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Foreign subsidiary of a domestic corporation.* Effective with respect to dividends received by a domestic corporation from a foreign corporation during taxable years beginning after December 31, 1950, the first sentence of section 131 (f) (1) is hereby amended by striking out "a majority" and inserting in lieu thereof "at least 10 per centum".

(b) *Foreign subsidiary of a foreign corporation.* Effective with respect to dividends received by a foreign corporation from another foreign corporation in taxable years beginning after December 31, 1950, section 131 (f) (2) is hereby amended by striking out "all the voting stock (except qualifying shares)" and inserting in lieu thereof "50 per centum or more of the voting stock".

(c) *Clerical amendment.* So much of section 131 (f) (1) as precedes the first sentence thereof is hereby amended to read as follows:

(f) *Taxes of foreign corporations—(1) Treatment of taxes paid by foreign corporation.*

PAR. 2. Section 29.131-3, as amended by Treasury Decision 5893, approved April 4, 1952, is further amended by revising the first sentence, which commences with the words "For credit where taxes", of paragraph (d) thereof to read as follows: "For credit available to a do-

mestic corporation with respect to taxes paid by a foreign corporation, see § 29.131-7."

PAR. 3. Section 29.131-7, as amended by Treasury Decision 5452, approved April 19, 1945, is further amended as follows:

(A) By revising so much thereof as precedes the words "of the voting stock of a foreign corporation", which appear in the first sentence of paragraph (a) thereof, to read as follows:

§ 29.131-7 *Taxes of foreign corporation—(a) Domestic corporation owning stock of a foreign corporation.* In the case of a domestic corporation which owns a majority or, effective with respect to dividends received during a taxable year beginning after December 31, 1950, at least 10 percent * * *.

(B) By striking out of the expression "paid or accrued by such controlled foreign corporation to any foreign country", which appears in the first sentence of paragraph (a) thereof, the word "controlled" so that such expression will read as follows: "paid or accrued by such foreign corporation to any foreign country".

(C) By revising the second and third sentences of paragraph (a) thereof, which commence, respectively, with the words "See, however, the limitations" and "If dividends are received", to read as follows: "If dividends are received from more than one such foreign corporation, the limitation is to be computed separately for the dividends received from each. For other limitations upon the amount of credit available under section 131, see § 29.131-8."

(D) By striking out of the last sentence of paragraph (a) thereof "a controlled" and inserting in lieu thereof "such a", so that such sentence will read as follows: "Taxes paid or accrued by such a foreign corporation are deemed to have been paid by the domestic corporation for purposes of credit only."

(E) By revising the headnote of paragraph (b) and paragraph (b) (1) thereof to read as follows:

(b) *Foreign corporation owning stock of another foreign corporation.* (1) If

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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UNITED STATES GOVERNMENT ORGANIZATION MANUAL

1952-53 Edition
(Revised through July 1)

Published by the Federal Register Division,
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Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D. C.

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any foreign corporation coming within the scope of paragraph (a) of this section owns all (except qualifying shares) or, effective with respect to dividends received in a taxable year beginning after December 31, 1950, 50 percent or more of the voting stock of another foreign corporation from which it receives dividends in any taxable year, it shall be deemed to have paid that proportion of any income, war-profits, and excess-profits taxes paid or accrued by the latter corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such latter corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits. Such tax so deemed to have been paid shall then be taken into consideration in determining the amount of income, war-profits, and excess-profits taxes paid or deemed to have been paid by the former corporation to any possession or foreign country upon or with respect to its own accumulated profits from which the dividends were paid by such corporation to the domestic corporation.

(F) By striking out of paragraph (b) (2) thereof the following: "parent".

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner of
Internal Revenue.

Approved: November 19, 1952.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 52-12527; Filed, Nov. 24, 1952;
8:48 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 892, Amdt. 1]

PART 95—CAR SERVICE

RESTRICTIONS ON MOVEMENT OF UNBILLED BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3 held at its office in Washington, D. C., on the 19th day of November A. D. 1952.

Upon further consideration of Service Order No. 892 (17 F. R. 9604), and good cause appearing therefor: It is ordered, that:

Section 95.892 *Restrictions on movement of unbilled bituminous coal* of Service Order No. 892 be, and it is hereby amended by substituting the following paragraph (e) hereof for paragraph (e) thereof:

(e) *Expiration date.* This section shall expire at 11:59 p. m. December 15, 1952, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., November 20, 1952.

It is further ordered, that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12524; Filed, Nov. 24, 1952;
8:47 a. m.]

PART 122—MONTHLY OPERATING REPORTS

MONTHLY REPORT OF REVENUES AND EXPENSES; STEAM RAILWAYS

At a session of the Interstate Commerce Commission, Division I, held at

its office in Washington, D. C., on the 16th day of October A. D. 1952.

The matter of monthly reports of revenues and expenses from Class I steam railways being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished and that public rule making procedures are unnecessary:

It is ordered, That the order dated September 25, 1946, in the matter of monthly reports of revenues and expenses of Class I steam railways (49 CFR 122.1) be, and it is hereby modified with respect to reports for January 1, 1953, and for subsequent months, as follows:

§ 122.1 *Revenues and expenses.* Commencing with the month of January 1953, and monthly thereafter until further order, each and every Class I Steam Railway, except Class I Switching and Terminal Companies, subject to the provisions of the Interstate Commerce Act, is hereby required to file monthly reports of Revenues and Expenses in accordance with the form of report which is attached hereto and made a part of this section.¹ Monthly reports shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before the 26th day of the month next succeeding the month for which made.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

NOTE: Budget Bureau No. 60-R120.9.

By the Commission, Division I.

[SEAL] GEORGE W. LAIRD,
Acting Secretary:

[F. R. Doc. 52-12525; Filed, Nov. 24, 1952;
8:47 a. m.]

PART 122—MONTHLY OPERATING REPORTS

MONTHLY REPORT OF SELECTED INCOME AND BALANCE-SHEET ITEMS; STEAM RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 16th day of October A. D. 1952.

The matter of monthly reports of selected income and balance-sheet items from Class I steam railways being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished and that public rule making procedures are unnecessary:

It is ordered, That the order dated October 21, 1944, in the matter of monthly reports of selected income and balance-sheet items from Class I steam railways (49 CFR 122.2), be, and it is hereby modified with respect to reports for January, 1953, and subsequent months, as follows:

§ 122.2 *Selected income and balance-sheet items.* Commencing with the

¹ Filed as a part of the original document.

month of January 1953, and monthly thereafter until further ordered, all Class I Steam Railways, except Class I Switching and Terminal Companies, subject to the provisions of section 20, part I of the Interstate Commerce Act, are hereby required to file monthly reports of Selected Income and Balance-Sheet Items in accordance with the form of report which is attached hereto and made a part of this section.¹ The monthly reports shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., within 45 days after the end of the month to which they relate.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

NOTE: Budget Bureau No. 60-R121.6.

By the Commission, Division I.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12526; Filed, Nov. 24, 1952;
8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

Sections 562.17, 562.22 (b) (1) (i) (a), 562.28 (b), 562.29 and 562.37 are revised to read as follows:

§ 562.17 *Designation of units.* (a) Units of the senior division, ROTC, will bear the designation of the branch of the Army with which associated.

(b) Units of the junior division, ROTC, will be designated a junior unit.

§ 562.22 *Conditions of enrollment in specific course.* * * *

(b) *For advanced course, senior division.* * * *

(1) *Academic requirements.* * * *

(i) Applicants for admission in the advanced course of the following technical services must be enrolled in the academic fields listed thereafter:

(a) *Chemical Corps.* Any academic course of instruction leading to a degree in a scientific or engineering subject, with preference for the chemical, biological, physical and mechanical arts and sciences. This provision will not affect students currently enrolled in Chemical Corps units or students who have been selected for enrollment prior to the publication of this section.

* * * * *

§ 562.28 *Programs, content, and objectives of courses.* * * *

(b) *Junior division.* The junior division, ROTC, will consist of the junior course only and will be conducted in whole at class HS institutions, and may be conducted in whole or in part at class MJC and class MI institutions with Department of the Army approval. While it is not contemplated that officers of the Reserve component will be procured

without additional training from institutions operating on the preparatory school level, the Department of the Army will encourage and continue to furnish assistance to students in the junior division, ROTC, in high schools and other secondary schools prior to their undertaking further military training.

(1) Military training at a class HS institution will comprise a 3-year course of theoretical and practical instruction, consisting of 3 hours per week.

(2) The junior course will be approximately equivalent in scope to the first year of the basic course, senior division, ROTC, and will entitle the student, upon transfer, to such credit as may be determined by the professor of military science and tactics and the head of the institution concerned.

(3) The Department of the Army will continue to encourage the holding of summer camps by units of the junior division, ROTC, provided the camps are held without expense to the Government.

§ 562.29 *Curtailment of compression of courses.* (a) There is no authority under the law to compress the basic course into less than two academic years. The term "academic year" as used in this section will be defined for the Department of Military Science and Tactics on the same basis as the academic departments of the institution concerned; that is, when the institution operates on an accelerated basis with regard to all or part of its students with such accelerated basis allowing more than two semesters or three quarters of academic work to be completed in one calendar year, those students who are completing their academic work on this accelerated basis will be permitted to progress in their military courses at the same rate, subject to the following conditions:

(1) The arrangement must be approved by the institutional authorities and the army commander.

(2) No reduction in the scope and content of the ROTC course will be permitted.

(b) The professor of military science and tactics with the approval of the head of the institution concerned is authorized to approve applications for the curtailment of the advanced course when all of the following conditions exist:

(1) Student will be eligible for graduation from the institution before he can complete the advanced course.

(2) Student agrees to complete all prescribed subjects of the advanced course program of instruction without reduction in scope or content, and subject to written examinations in all subjects.

(3) Student agrees to attend the prescribed advanced course camp.

(4) Professor of military science and tactics believes the student possesses exceptional aptitude for leadership and capacity for completing the course in the time available.

(c) The professor of military science and tactics with the approval of the head of the institution concerned is authorized to approve requests for the enrollment of sophomore students in MS I course and subsequent concurrent enrollment in MS II and MS III courses

during their junior year to the following conditions:

(1) During the year of concurrent training in MS II and MS III, the student will be paid no subsistence and will utilize the uniform provided for basic course students, and will be carried on the rolls as a basic course student.

(2) Upon completion of his junior year and MS II and MS III, the student will be permitted to sign a contract, be issued an advanced course uniform, and will receive commutation of subsistence, only while pursuing the MS IV course.

(d) The granting of authority for a curtailment of the advanced course will not be construed as a waiver for other conditions of noneligibility which would preclude enrollment in the course or which would preclude appointment as a commissioned officer in a component of the Army.

(e) A curtailment of the course will not be authorized in the case of any student eligible for enrollment in the advanced course two or more years prior to the date of his graduation from the institution.

§ 562.37 *Courses of instruction.* Subject and outlines of courses of study for ROTC training are prescribed by the Department of the Army and are published in the 145-series of the Army training programs of instructions.

[AR 145-350, Oct. 31, 1952] (R. S. 161; 5 U. S. C. 22. Interpret or apply 39 Stat. 191, as amended, sec. 34, 44 Stat. 778; 10 U. S. C. 354, 381-388, 441)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-12499; Filed, Nov. 24, 1952; 8:45 a. m.]

Chapter VII—Department of the Air Force

Subchapter J—Procurement Procedures

PART 1013—INSPECTION AND ACCEPTANCE

Part 1013 is added to Subchapter J as follows:

Sec.	
1013.001	Scope of part.
1013.002	General policy.
1013.003	Inspection requirements.
1013.004	Points of inspection.
1013.005	Responsibility for inspection.
1013.006	Acceptance.
1013.007	Single department procurement.
1013.008	Contract provisions.
1013.009	Inspection interchange agreements
1013.010	Inspection for other Government agencies.

AUTHORITY: §§ 1013.001 to 1013.010 issued under R. S. 161, Sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161.

DERIVATION: Sec. XIV, AFM 70-6.

§ 1013.001 *Scope of part.* This part implements the provisions of Part 413 of this title, and sets forth the procedures pertaining to the inspection and acceptance of supplies and services by the Department of the Air Force. Nothing in this part will be construed as waiving compliance with Part 413 of this title.

§ 1013.002 *General policy*—(a) *Supplies and services.* All supplies and services procured by the Air Force, including

supplies which are procured in accordance with the provisions of Subpart A of Part 403 of this title, "Single Department Procurement," will be inspected and accepted in accordance with the requirements of this part. Inspection will be conducted only when a bona fide contract exists, or when there is reasonable assurance that supplies so inspected will be reserved for delivery on Air Force or other military contracts.

(b) *Quality control policy.* Conformance with contractual requirements of supplies presented to the Air Force will be determined on the basis of objective quality evidence. Such evidence will be obtained by the contractor and will be evaluated and verified by the Air Force quality control representative exercising surveillance over the contractor's facility. Evidence may also be obtained independently by Air Force quality control personnel. Product inspection by Air Force quality control personnel will be used to the extent necessary to verify evidence of quality submitted by the contractor, or it may be used to determine acceptability of supplies on an individual or lot basis. The amount of evidence obtained or verified through product inspection by Air Force quality control personnel will depend on the nature and intended use of the product and the effectiveness of the contractor's control over quality.

§ 1013.003 *Inspection requirements.* In accordance with applicable directives, Air Matériel Command will establish inspection requirements sufficient to determine the acceptability of supplies and services presented to the Air Force. The Air Matériel Command may, when the public interest will be best served, prescribe the conditions under which supplies which are subject to Air Force inspection may be accepted and shipped without such inspection being performed in connection with each shipment.

§ 1013.004 *Points of inspection.* The contracting and quality control components of Air Matériel Command will collaborate in establishing categories of items which are subject to either source or destination inspection. The contracting organization will also coordinate with the quality control organization any unusual cases where special consideration is necessary concerning proper place of inspection. The inspection facilities of the Air Force depots and/or laboratories will be utilized to the extent practicable in accomplishing inspection or tests which cannot otherwise be properly accomplished. Air Force supply contracts will specify the place or places at which inspection and/or acceptance of the supplies are to be made by the Government.

§ 1013.005 *Responsibility for inspection.* The responsibility for quality control is assigned to Air Matériel Command, which will issue and coordinate detailed inspection procedures. Air Matériel Command may further delegate specific areas of responsibility to insure an effective and economical Air Force quality control effort.

§ 1013.006 *Acceptance.* Acceptance as defined in § 413.006 of this title is the responsibility of the Air Matériel Command, which may authorize proper Gov-

ernment agents to perform this function. Acceptance is effected through the execution of the prescribed acceptance documents.

§ 1013.007 *Single department procurement.* Normally Air Force inspection procedures will be used when inspection is performed by the Air Force on supplies being procured for delivery to another service.

§ 1013.008 *Contract provisions.* Any change to the standard clauses set forth in Part 406 of this title will be coordinated with the organization responsible for performing the inspection and/or acceptance and will be made in accordance with § 1000.109 of this chapter.

§ 1013.009 *Inspection interchange agreements.* Interchange agreements may be extended to foreign government agencies where procurements are being made by the Air Force in countries where suitable inspection practices have been established.

§ 1013.010 *Inspection for other Government agencies.* "Other Government agencies" are construed to mean U. S. agencies other than military. Air Force inspection may be performed for other Government agencies when such inspection would not unduly affect military inspection operations and the cost of such inspection can be defrayed on a reimbursement-in-kind basis.

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 52-12509; Filed, Nov. 24, 1952;
8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 14, Amdt 17]

CPR. 14—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

REVISION OF TABLE A AND COMMODITY GROUP DEFINITIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 17 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment revises and brings up to date Table A and the commodity group definitions in CPR 14 in order to conform with General Overriding Regulation 7, Revision 1. The amendment also makes certain other minor corrections and clarifications in Table A and in the commodity group definitions.

General Overriding Regulation 7, Revision 1, decontrolled a number of food products as insignificant in the cost of living or as removed from price control by the Harrison Amendment which exempted fruits and vegetables in fresh or processed form from price control. Many of these food products had previously been covered by CPR 14 but, be-

cause of the nature of a general overriding regulation, were in effect removed from the ceiling price regulation even though they had not been deleted by formal amendment. However, in order to avoid confusion and misunderstanding, the table and commodity group definitions of CPR 14 are revised by the present action to conform with GOR 7, Revision 1. Although it has been necessary (in order to effectuate certain adjustment provisions) to list certain commodity group headings of fruits or vegetables even where no items in the listed commodity grouping remain under control, it is thought that none of the commodities decontrolled by GOR 7 now remains listed as controlled by CPR 14. Except for minor corrections and clarifications the revised table and commodity group definitions contain no substan-

tive changes not already made through the overriding effect of GOR 7, Revision 1.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impractical. In the judgment of the Director the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 14 is amended in the following respects.

1. Section 35, paragraph (a), Table A, is revised to read as follows:

TABLE A—MARKUP FIGURES TO BE USED BY WHOLESALERS IN FIGURING CEILING PRICES FOR ITEMS COVERED BY THIS REGULATION BY COMMODITIES

[Figures to be multiplied by net cost]

Food Commodities	Class 1 Retailer-owned cooperatives	Class 2 Cash and carry	Class 3 Service and delivery	Class 4 Institutional
1. Baby foods.....	1.06	1.085	1.135	1.185
2. Cereals, breakfast.....	1.035	1.06	1.08	1.13
3. Cocoa, chocolate, and cereal drink preparations.....	1.07	1.085	1.125	1.175
4. Coffee.....	1.055	1.065	1.09	1.14
5. Cookies, crackers, toast and crumbs.....	1.11	1.15	1.20	1.25
6. Corn meal, hominy and flour mixes.....	1.055	1.085	1.12	1.165
7. Dog and cat foods.....	1.06	1.09	1.105	1.15
8. Fish, processed.....	1.095	1.13	1.19	1.24
9. Flour.....	1.07	1.075	1.10	1.15
10. Frozen foods.....	1.24	1.24	1.24	1.29
11. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears.....	1.105	1.155	1.18	1.23
12. Fruit cocktail, pineapple, peaches and pears (canned) except juices ¹				
13. Fruits, dried and dehydrated ¹	1.06	1.07	1.105	1.155
14. Gelatin and pudding mixtures.....	1.115	1.14	1.19	1.24
15. Jams, jellies, preserves, honey and peanut butter.....	1.035	1.035	1.075	1.125
16. Lard, pure.....	1.09	1.115	1.15	1.20
17. Macaroni and spaghetti products.....	1.08	1.12	1.16	1.21
18. Mayonnaise and salad dressing.....	1.055	1.08	1.10	1.15
19. Meat, canned.....	1.035	1.035	1.045	1.095
20. Milk, canned.....	1.07	1.075	1.10	1.15
21. Oils, cooking and salad.....	1.045	1.085	1.14	1.19
22. Oleomargarine.....				
23. Pickles and relishes ¹	1.075	1.095	1.13	1.18
24. Rice.....	1.045	1.045	1.06	1.06
25. Shortening, hydrogenated.....	1.045	1.045	1.06	1.06
26. Shortening, other.....	1.045	1.07	1.09	1.14
27. Soups, canned.....	1.06	1.105	1.13	1.18
28. Soups, dehydrated.....	1.15	1.27	1.28	1.33
29. Spices.....	1.07	1.10	1.115	1.165
30. Syrups.....	1.06	1.095	1.115	1.165
31. Tea.....				
32. Vegetables and vegetable juices (canned) except corn, green beans, tomatoes and tomato juice.....	1.07	1.14	1.20	1.25
33. Corn, green beans, peas, tomatoes and tomato juice (canned) ¹				
34. Vegetables, dried and dehydrated ¹	1.12	1.16	1.23	1.28
35. Vinegar.....	1.11	1.15	1.20	1.25
36. Miscellaneous foods.....				

¹All commodities in this category are excluded from price control.

2. Section 35, paragraphs (b), (c) and (d) are revised to read as follows:

(b) Commodity definitions. These definitions apply to both domestic and imported items	(c) Commodities excluded from this regulation, but subject to GCPR or other applicable regulations	(d) Commodities excluded from price control at wholesale and retail
(1) "Baby foods" means baby" or "junior" cereals, fruits, vegetables, meats, puddings, soups and mixtures thereof, packed in hermetically sealed containers.	(1) "Baby foods". Excluded are: Dry baby cereals.	(1) "Baby foods". Excluded are: Fruits, vegetables (including creamed vegetables), and their juices, and combinations of fruits, vegetables, or their juices, with no other ingredients added except water sufficient for preparation, salt or sugar. Soups are not within this exclusion.
(2) "Cereals, breakfast" means cereal items commonly used as breakfast foods, both uncooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Not included in this definition are barley, corn meal, corn grits, hominy grits and flakes, rice and wheat bran flour.	(2) "Cereals, breakfast". Excluded are: Steel cut oats.	(2) "Cereals, breakfast". Excluded are: Wheat germ and imported "cereals, breakfast" if imported in consumer size containers.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items.	(c) <i>Commodities excluded from this regulation, but subject to GICPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(3) "Cocoa, chocolate and cereal-drink preparations". Excluded are: Chocolate confections, bitter-sweet bars, milk chocolate, powdered whole milk, powdered skim milk (except spray process).	(3) "Cocoa, chocolate, and cereal-drink preparations". Excluded are: Powdered malted milk and any preparations containing 35 percent or more powdered malted milk, and imported cocoa, chocolate and cereal drink preparations if imported in consumer size containers.	(10) "Frozen foods". Excluded are: Hollandaise sauce, fish and seafood, all fruits, berries, fruit or berry juices and concentrates, vegetables, vegetable juices, mushrooms, coconut, cooked spaghetti products with or without sauce, prepared pastry doughs, bean sprouts, Chinese chow mein, Chinese chop suey, Chinese mixed vegetables, soups, gravies and pork and beans.
(4) "Coffee". Excluded are: Green coffee in containers of the customary unit and weight in which they are imported into the United States.	(4) "Coffee". Excluded are: Imported coffee if imported in consumer size containers (2 pounds or less) and coffee packed in bags, each containing only the amount necessary to make 1 ordinary cup of coffee.	(11) "Fruits, berries and fruit juices, canned". Excluded are: None.
(5) "Cookies, crackers, toast and crumbs". Excluded are: Any baking product which you manufacture, Passover matzo, Passover matzo meal and related Passover products, any cookie or cracker item which is purchased in consumer sizes in tin or glass containers, baked goods, fresh, such as bread, pies, cakes, rolls, doughnuts, coffee cakes, candies (except cookies, crackers, toast and crumbs) and rice crackers.	(5) "Cookies, crackers, and crumbs". Excluded are: Imported cookies, crackers and toast, if imported in consumer size containers.	(11) "Fruits, berries and fruit juices, canned". Excluded are: Branded, liquor flavored or stuffed melon, fruit rind, fruits or berries, whole or half citrus fruits; cocktail slices and sticks; maraschino cherries; all varieties of canned apples, applesauce, apricots, berries, currants, cranberry sauce (strained or whole) cherries, figs, fruit for salad (including fruit mixtures), fruit and berry juices and nectars, including apple and other fruit ciders, plums, mangoes, prunes, citrus fruits, juices and concentrates, grapes, nectarines, quinces, papayas and guavas.
(6) "Corn meal, hominy and flour mixes". Excluded are: None.	(6) "Corn meal, hominy and flour mixes". Excluded are: Water ground corn meal.	(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices". All commodities in this category are excluded from price control.
(7) "Dog and cat food". Excluded are: None.	(7) "Dog and cat food". Excluded are: None.	(13) "Fruits, dried and dehydrated". All commodities in this category are excluded from price control including all dried, dehydrated and stuffed fruits.
(8) "Fish, processed". Excluded are: Kipper, marinated, dried or smoked fish and seafood (except sardines).	(8) "Fish, processed". Excluded are: Canned clams, shrimp, a la Newburg, shad, anchovy roll fillets, turtle and terrapin; frozen fish and seafood; fresh fish and seafood; fish and seafood pâtés, pastes and purees; sauce containing fish and seafood; fish roe and caviar; fish and seafood hors d'oeuvres; and imported "fish, processed" if imported in consumer size containers, except tuna and salmon.	(14) "Gelatin and pudding mixtures". Excluded are: None.
(9) "Flour". Excluded are: None.	(9) "Flour". Excluded are: Potato flour, water ground wheat flour and water ground buckwheat flour.	(15) "Jams, jellies, preserves, honey and peanut butter". Excluded are: Wine jellies, preserved kumquats, lemon marmalade, guava jelly, and imported jams, jellies, preserves and honey if imported in consumer size containers.
(10) "Lard, pure". Excluded are: None.	(16) "Lard, pure". Excluded are: None.	(16) "Lard, pure". Excluded are: None.

(a) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items.	(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items.	(c) <i>Commodities excluded from this regulation, but subject to GCFR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(17) "Macaroni and spaghetti products" includes, but is not limited to, hogs, egg albumens, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.	(17) "Macaroni and spaghetti products" includes, but is not limited to, hogs, egg albumens, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.	(17) "Macaroni and spaghetti products" includes, but is not limited to, hogs, egg albumens, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.	(17) "Macaroni and spaghetti products" includes, but is not limited to, hogs, egg albumens, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meatballs, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.
(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise spreads and French dressing. Not included in this definition are meat spreads.	(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise spreads and French dressing. Not included in this definition are meat spreads.	(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise spreads and French dressing. Not included in this definition are meat spreads.	(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise spreads and French dressing. Not included in this definition are meat spreads.
(19) "Meat, canned" includes, but is not limited to, canned or glass chicken products, turkey products, chicken and chicken, meat ravioli, luncheon meats, chili con carne, meat steaks, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, enchiladas, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat steaks and pies.	(19) "Meat, canned" includes, but is not limited to, canned or glass chicken products, turkey products, chicken and chicken, meat ravioli, luncheon meats, chili con carne, meat steaks, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, enchiladas, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat steaks and pies.	(19) "Meat, canned" includes, but is not limited to, canned or glass chicken products, turkey products, chicken and chicken, meat ravioli, luncheon meats, chili con carne, meat steaks, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, enchiladas, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat steaks and pies.	(19) "Meat, canned" includes, but is not limited to, canned or glass chicken products, turkey products, chicken and chicken, meat ravioli, luncheon meats, chili con carne, meat steaks, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, enchiladas, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat steaks and pies.
(20) "Milk, canned" means evaporated or condensed cow milk, including but not limited to, filled evaporated milk products.	(20) "Milk, canned" means evaporated or condensed cow milk, including but not limited to, filled evaporated milk products.	(20) "Milk, canned" means evaporated or condensed cow milk, including but not limited to, filled evaporated milk products.	(20) "Milk, canned" means evaporated or condensed cow milk, including but not limited to, filled evaporated milk products.
(21) "Oils, cooking and salad" means all vegetable oils, fruit leaf plant oils, and cooking fats other than lard and shortening. Not included in this definition are olive, prepared dressings, and spice oils.	(21) "Oils, cooking and salad" means all vegetable oils, fruit leaf plant oils, and cooking fats other than lard and shortening. Not included in this definition are olive, prepared dressings, and spice oils.	(21) "Oils, cooking and salad" means all vegetable oils, fruit leaf plant oils, and cooking fats other than lard and shortening. Not included in this definition are olive, prepared dressings, and spice oils.	(21) "Oils, cooking and salad" means all vegetable oils, fruit leaf plant oils, and cooking fats other than lard and shortening. Not included in this definition are olive, prepared dressings, and spice oils.
(22) "Oleomargarine" means any product labeled "Oleomargarine".	(22) "Oleomargarine" means any product labeled "Oleomargarine".	(22) "Oleomargarine" means any product labeled "Oleomargarine".	(22) "Oleomargarine" means any product labeled "Oleomargarine".
(23) "Pickles and relishes" All commodities in this category are excluded from price control, including pickles, relishes and stuffed pickles.	(23) "Pickles and relishes" All commodities in this category are excluded from price control, including pickles, relishes and stuffed pickles.	(23) "Pickles and relishes" All commodities in this category are excluded from price control, including pickles, relishes and stuffed pickles.	(23) "Pickles and relishes" All commodities in this category are excluded from price control, including pickles, relishes and stuffed pickles.
(24) "Rice" means all rice (including second heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.	(24) "Rice" means all rice (including second heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.	(24) "Rice" means all rice (including second heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.	(24) "Rice" means all rice (including second heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.
(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.
(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.	(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.	(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.	(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GICPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
		(32) "Vegetables and vegetable juices, canned"—Continued Excluded are—Continued Cauliflower, fresh field corn, cauliflower, tomato sauce, seafood cocktail sauce, hominy, soybeans, mixtures of vegetables, mushrooms, okra, onions, peppers (all varieties), peppers, pimientos, potatoes, white and sweet, pumpkin, sauerkraut, squash, spinach, succotash, rutabaga, rutabagas, turnips, turnip greens, vegetable greens, vegetable juices and mixtures thereof, tomato paste, tomato pulp or puree, chili sauce, tomato catsup, canned beans including pork and beans but excluding beans with ham or other meat, bean sprouts, Chinese mixed vegetables, Chinese chow mein, and Chinese chop suey.
(33) "Corn, green beans, peas, tomatoes, and tomato juice, canned". All commodities in this category are excluded from price control.	(33) "Corn, green beans, peas, tomatoes, and tomato juice, canned".	(33) "Corn, green beans, peas, tomatoes, and tomato juice, canned".
(34) "Vegetables, dried and dehydrated". All commodities in this category are excluded from price control, including mushrooms and lentils.	(34) "Vegetables, dried and dehydrated".	(34) "Vegetables, dried and dehydrated".
(35) "Vinegar" includes, but is not limited to, pure cider vinegar and distilled vinegar.	(35) "Vinegar". Excluded are: Malt and fruit vinegar (except apple).	(35) "Vinegar". Excluded are: Wine and herbal vinegar and imported vinegars if imported in consumer size containers.
(36) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraphs (c) and (d) of this section. Non-food items are of course not included. Among the items included under this heading are the following: Baking powder. Baking soda. Barley (pearl). Brown bread, and date and nut bread, canned. Brewers yeast in consumer size packages not to exceed 2 pounds. Cocoanut, shredded, desiccated or moist. "Cookies, crackers, toast and crumbs" bought by you in bulk and sold loose. Corn starch, packaged in containers of 10 pounds or less. Crab meat, canned. Enchiladas (tins, jars, paper or corn wrapped). Fruit peckins. Ice cream sundae syrups, including chocolate syrup packed in No. 10 tins or larger. Lobster, canned. Macaroni salad, canned. Meat flavorings. Meat sauces, except catsup, cocktail sauce and chili sauce. Mustard, prepared. Oysters (canned) except smoked.	(36) "Miscellaneous foods". Excluded are: Beer. Butter (except pure maple fruit butters, and smooth or crunch type nut butters). Buttermilk, fresh. Candy (except pure maple sugar candy). Cheese, cheese spreads and cheese foods. Cornstarch (packaged in containers of more than 10 pounds). Corn sugar. Cream, fresh. Eggs. Feed, animal, poultry or pet foods (except dog and cat food). Fruit cako, except holiday gift cako. Gift cako. Holidays, and confections assembled, and containing one or more items covered by this regulation. Goat milk. Ice cream in cones. Ice cream, sherberts and frozen confections. Liquors. Meat (except "meat, canned"). Milk, fresh. Mineral oil.	(36) "Miscellaneous foods". Excluded are: Antipasto. Apple chips, crunchby, canned and packaged. Apple nougats, canned or packaged. Apple-pie mix. Apple and other fruit pomaces. Babas in tins. Bacon rinds, fried. Bamboo shoots, canned. Cane or beet sugar. Capers. Cherry-pie mix. Chutney, canned. Citrus fruit beverage bases and other fruit beverage bases (but not fruit ades or soft drinks made therefrom). Clam juice. Cones for ice cream. Crab meat, devilled. Crepes suzette. Easter egg dye. Egg-nog, bottled. Flavorings in containers of 16 ounces or less. Food colorings in containers of 16 ounces or less. Food flavoring extracts (except vanilla). Fresh fruits and vegetables. Fried worms, canned.
		(33) "Corn, green beans, peas, tomatoes, and tomato juice, canned".
		(34) "Vegetables, dried and dehydrated".
		(35) "Vinegar".
		(36) "Miscellaneous foods".
		(33) "Corn, green beans, peas, tomatoes, and tomato juice, canned".
		(34) "Vegetables, dried and dehydrated".
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[Ceiling Price Regulation 15, Amdt. 20]

CPR 15—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUPS 3 AND 4 STORES**REVISION OF TABLES A AND B AND COMMODITY GROUP DEFINITIONS; UNIT RULE FOR BABY FOOD**

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 20 to Ceiling Price Regulation 15 is hereby issued.

STATEMENT OF CONSIDERATIONS

This statement of considerations covers Amendment 20 to Ceiling Price Regulation 15 and Amendment 20 to Ceiling Price Regulation 16. These amendments revise and bring up to date Tables A and B and the commodity group definitions in CPR's 15 and 16 in order to conform with General Overriding Regulation 7, Revision 1. The amendments also make certain other minor corrections and clarifications in Tables A and B and in the commodity group definitions. Finally, the amendments require retailers to revert to the single unit basis of establishing ceiling prices for baby food in cans.

General Overriding Regulation 7, Revision 1, decontrolled a number of food products as insignificant in the cost of living or as removed from price control by the Harrison Amendment which exempted fruits and vegetables in fresh or processed form from price control. Many of these food products had previously been covered by CPR's 15 and 16 but, because of the nature of a general overriding regulation, were in effect removed from the ceiling price regulations even though they had not been deleted by formal amendment. However, in order to avoid confusion and misunderstanding, the tables and commodity group definitions of CPR's 15 and 16 are revised by the present action to conform with GOR 7, Revision 1. Although it has been necessary (in order to effectuate certain adjustment provisions) to list certain commodity group headings of fruits or vegetables even where no items in the listed commodity grouping remain under control, it is thought that none of the commodities decontrolled by GOR 7 now remains listed as controlled by CPR's 15 and 16. Except for minor corrections and clarifications the revised tables and commodity group definitions contain no substantive changes not already made through the overriding effect of GOR 7, Revision 1.

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These amendments also return baby foods to the single unit pricing provisions of CPR's 15 and 16. Recently OPS determined that manufacturers of baby food were entitled to adjustments under the OPS industry earnings standard and, accordingly, issued Supplementary Regulation 107 to the General Ceiling Price Regulation. However, after a short time it was shown by the manufacturers that if they realized the earnings standard increases permitted under SR 107 the result would be a reduction in the margins of retailers selling canned baby food. Therefore, Amendments 18 to CPR's 15 and 16 were issued to prevent a margin squeeze on the retailers by providing a means for retailers to establish a unit ceiling price on three cans of baby food instead of on the single unit basis otherwise provided in the regulations.

It now appears, however, that since the manufacturers have decided not to take the permitted increases, the result of the operation of the multiple unit rule authorized by Amendments 18 has been an unwarranted increase in retail markups. To continue Amendments 18 in effect is not only unnecessary to prevent a squeeze but also would result in unjustifiably higher ceiling prices to consumers and, therefore, these amendments remove from CPR's 15 and 16 the provisions for multiple unit pricing of baby foods. However, if a retail problem on baby food does develop in the future, the matter will be given further consideration at such time in the light of the retail markups then in effect.

In view of the nature of these amendments special circumstances have rendered consultation with industry representatives, including trade association representatives, impractical. In the judgment of the Director the provisions of these amendments are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that Act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 15 is amended in the following respects:

1. Paragraph (a) of section 4 is revised by deleting subparagraph (3) and by redesignating present subparagraph (4), (5) and (6) as (3), (4) and (5), respectively.

2. Paragraph (c) of section 4 is revised by deleting subparagraph (2).

3. Section 10 is revised by deleting the second sentence.

4. Section 37 is revised to read as follows:

SEC. 37. Table of markups for "dry groceries" (Table A)—(a) Table A—Markups over "net cost" allowed to Groups 3 and 4 retailers for dry groceries covered by this regulation by commodities.

TABLE A—MARKUPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food Commodities	Allowed markups over net cost	
	Group 3, retailer other than independent with annual volume under \$375,000	Group 4, any retailer with annual volume of \$375,000 or more
	Percent	Percent
1. Baby foods.....	18	16
2. Cereals, breakfast.....	20	18
3. Cocoa, chocolate and cereal drink preparations.....	22	21
4. Coffee.....	12	11
4a. Coffee concentrates.....	16	15
5. Cookies, toast and crumbs.....	30	30
5a. Crackers.....	25	25
6. Corn meal, hominy and flour mixes.....	25	21
7. Dog and cat foods.....	24	24
8. Fish, processed.....	25	25
8a. Salmon and tuna, processed.....	21	21
9. Flour, packaged (5-pound containers or less).....	23	17
9a. Flour.....	20	14
10. Frozen foods.....	30	30
11. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears.....	30	30
12. Fruit cocktail, pineapple, peaches and pears (canned) except juices ¹		
13. Fruits, dried and dehydrated ¹	23	18
14. Gelatin and pudding mixtures.....	35	35
15. Jams, jellies, preserves, and honey.....	31	31
15a. Peanut butter.....	17	15
16. Lard, pure.....	27	26
17. Macaroni and spaghetti products.....	22	22
18. Mayonnaise and salad dressing.....	23	22
19. Meat, canned.....	19	18
19a. Luncheon meats.....	10	9
20. Milk, canned.....	24	16
21. Oils, cooking and salad.....	18	18
22. Oleomargarine.....		
23. Pickles and relishes ¹	24	20
24. Rice.....	9	9
25. Shortening, hydrogenated.....	17	13
26. Shortening, other.....	19	19
27. Soups, canned.....	31	27
28. Soups, dehydrated.....	46	46
29. Spices.....	24	21
30. Syrups.....	25	25
31. Tea.....		
32. Vegetables and vegetable juices (canned) except corn, green beans, peas, tomatoes and tomato juice.....	30	30
33. Corn, green beans, peas, tomatoes and tomato juice (canned) ¹		
34. Vegetables, dried and dehydrated ¹		
35. Vinegar.....	34	33
36. Miscellaneous foods.....	35	35

¹ All commodities in this category are excluded from price control.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>	(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(1) "Baby foods" means "baby" or "junior" cereals, fruits, vegetables, meats, puddings, soups and mixtures thereof, packed in hermetically sealed containers.	(1) "Baby foods". Excluded are: Dry baby cereals.	(1) "Baby foods". Excluded are: Fruits, vegetables (including creamed vegetables), and their juices, and combinations of fruits, vegetables, or their juices, with no other ingredients added except water sufficient for preparation, salt or sugar. Soups are not within this exclusion.	(6) "Corn meal, hominy and flour mixes" means corn meal, corn grits, hominy, hominy grits, hominy flakes, prepared hominy and flour mixes milled from wheat, semolina, farina, buckwheat, corn, rice and potatoes, including, but not limited to, prepared pancake, bisuit, pie crust and gingerbread mix and any item containing ingredients to prepare crust and filling for a pie. Not included in this definition is canned hominy, which is in "Vegetables and vegetable juices, canned".	(6) "Corn meal, hominy and flour mixes". Excluded are: None.	(6) "Corn meal, hominy and flour mixes". Excluded are: Water ground corn meal.
(2) "Cereals, breakfast" means cereal items commonly used as breakfast foods, both uncooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Not included in this definition are barley, corn meal, corn grits, hominy grits and flakes, rice and wheat bran flour.	(2) "Cereals, breakfast". Excluded are: Steel cut oats.	(2) "Cereals, breakfast". Excluded are: Wheat germ and imported "cereals, breakfast" if imported in consumer size containers.	(7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.	(7) "Dog and cat food". Excluded are: None.	(7) "Dog and cat food". Excluded are: None.
(3) "Cocoa, chocolate, and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35 percent malted milk, chocolate syrup packed in consumer sizes, chocolate bits, and cooking chocolate and packaged powdered skim milk (spray process). Not included in this definition is any powdered milk product containing 40 percent or more milk sugars.	(3) "Cocoa, chocolate, and cereal-drink preparations". Excluded are: Chocolate confections, bitter-sweet bars, milk chocolate, powdered whole milk; powdered skim milk (except spray process).	(3) "Cocoa, chocolate, and cereal-drink preparations". Excluded are: Powdered malted milk and any preparations containing 35 percent or more powdered malted milk, and imported cocoa, chocolate and cereal drink preparations if imported in consumer size containers.	(8) "Fish, processed" includes canned fish, canned seafood, and salted or otherwise processed fish, such as fish cakes. Not included in this definition are canned crab meat, lobster, oysters, salmon and tuna, and frozen food products in which fish or seafood are combined with other ingredients.	(8) "Fish, processed". Excluded are: Kipperd, marinated, dried or smoked fish and seafoods (except sardines).	(8) "Fish, processed". Excluded are: Canned clams, shrimp, a la Newburg, sbad, turtle or terrapin, anchovy roll fillets; frozen fish and seafood; fish and fish and seafood; fish and seafood pâtes, pastes and purees; sauce containing fish and seafood; fish roe, caviar, and seafood bors d'oeuvres; and imported "fish, processed" if imported in consumer size containers.
(4) "Coffee" means roasted coffee, whole or ground, decaffeinated coffee, and any mixtures of coffee with other products for beverage purposes. Not included in this definition are all "coffee concentrates," including "frozen coffee concentrates."	(4) "Coffee". Excluded are: Green coffee in containers of the customary unit and weight in which they are imported into the United States.	(4) "Coffee". Excluded are: Imported coffee if imported in consumer size containers (2 pounds or less) and coffee packaged in bags, each containing only the amount necessary to make 1 ordinary cup of coffee.	(8a) "Salmon and tuna, processed". Excluded are: Frozen, kippered, marinated, dried or smoked salmon or tuna.	(8a) "Salmon and tuna, processed". Excluded are: None.	(8a) "Salmon and tuna, processed". Excluded are: None.
(4a) "Coffee concentrates" includes but is not limited to instant and soluble coffee concentrates whether or not mixed with other ingredients. Not included in this definition is frozen coffee concentrate.	(4a) "Coffee concentrates". Excluded are: None.	(4a) "Coffee concentrates". Excluded are: Imported coffee concentrates if imported in consumer size containers.	(9) "Flour, packaged" means packaged flour (in containers of 5 pounds or less) milled from wheat, semolina, farina, buckwheat, corn, rice, and potatoes, including but not limited to, all-purpose family flour, self-rising flour, cake flour and enriched flour. Not included in this definition are all flour mixes.	(9) "Flour, packaged". Excluded are: Potato flour, water ground wheat flour and water ground buckwheat flour.	(9) "Flour, packaged". Excluded are: Potato flour, water ground wheat flour and water ground buckwheat flour.
(5) "Cookies, toast and crumbs" includes, but is not limited to biscuits, Christmas cookies, fig bars or cookies, pretzels, rye crackers, zwieback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal and related matzo products. Not included in this definition are any items which are bought by you in bulk and sold loose, or any "crackers" as defined below.	(5) "Cookies, toast and crumbs". Excluded are: Any bakery product which you manufacture except "crackers," Passover matzo, Passover matzo meal and related Passover products, any item which is purchased in consumer sizes in tin or glass containers, baked goods, fresh, such as bread, pies, cakes, rolls, doughnuts, coffee cakes, candies (except cookies, toast and crumbs), and rice crackers.	(5) "Cookies, toast and crumbs". Excluded are: Imported cookies and toast, if imported in consumer size containers.	(9a) "Flour, other" means all flour in containers of more than 5 pounds milled from wheat, semolina, farina, buckwheat, corn, rice, and potatoes, including but not limited to, all-purpose family flour, self-rising flour, cake flour and enriched flour. Not included in this definition are all flour mixes.	(9a) "Flour, other". Excluded are: None.	(9a) "Flour, other". Excluded are: Potato flour, water ground wheat flour and water ground buckwheat flour.
(5a) "Crackers" means all types of soda, sprayed, butter and graham crackers. Not included in this definition are any items which are bought by you in bulk and sold loose.	(5a) "Crackers". Excluded are: Any cracker product which you manufacture, and any cracker item which is purchased in consumer sizes in tin or glass containers.	(5a) "Crackers". Excluded are: Imported crackers, if imported in consumer size containers.	(10) "Frozen foods" means packaged quick-frozen or cold-packed foods sold from refrigerated cabinets or lockers, including but not limited to dog and cat food, Chinese foods, macaroni products, coffee concentrates, concentrated fresh milk, pies and pastries, meat stews, corned beef hash, meat pies, and food products in which fish or seafood, meat or poultry are combined with other ingredients.	(10) "Frozen foods". Excluded are: Meat, poultry, ice cream, sherbet and confections.	(10) "Frozen foods". Excluded are: Hollandaise sauce, fish and seafood, prepared pastry doughs, all fruits, berries, fruit or berry juices and concentrates, vegetables, vegetable juices, mushrooms, coconut, cooked spaghetti products with or without sauce, bean sprouts, Chinese mixed vegetables, Chinese chow mein, Chinese chop suey, soups, gravies and pork and beans.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulation</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(11) "Fruits, berries and fruit juices, canned" includes fountain fruits, and non-carbonated liquid fruit beverages such as grapeade, lemonade and orangeade. Not included in this definition are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, baby foods, fruit cocktail, pineapple (except pineapple juice), peaches, pears and frozen fruits.	(11) "Fruits, berries and fruit juices, canned". Excluded are: Branded, liquor flavored or stuffed, melon, fruit rind, fruits or berries; whole or half citrus fruits; cocktail slices and sticks; maraschino cherries; all varieties of canned apples; applesauce, apricots, cherries, figs, fruit for salad (including fruit mixtures), fruit and berry juices and nectars, including apple and other fruit ciders, plums, prunes, mangoes, citrus fruits, juices and concentrates, grapes, nectarines, quinces, papayas and guavas.	(11) "Fruits, berries and fruit juices, canned". Excluded are: Branded, liquor flavored or stuffed, melon, fruit rind, fruits or berries; whole or half citrus fruits; cocktail slices and sticks; maraschino cherries; all varieties of canned apples; applesauce, apricots, cherries, figs, fruit for salad (including fruit mixtures), fruit and berry juices and nectars, including apple and other fruit ciders, plums, prunes, mangoes, citrus fruits, juices and concentrates, grapes, nectarines, quinces, papayas and guavas.
(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices". All commodities in this category are excluded from price control.	(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices".	(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices".
(13) "Fruits, dried and dehydrated". All commodities in this category are excluded from price control, including all either whole, sliced or in macerated form.	(13) "Fruits, dried and dehydrated".	(13) "Fruits, dried and dehydrated".
(14) "Gelatin and pudding mixtures". Excluded are: None.	(14) "Gelatin and pudding mixtures". Excluded are: None.	(14) "Gelatin and pudding mixtures". Excluded are: None.
(15) "Jams, jellies, preserves and honey". Includes but is not limited to, tomato preserves, marmalade, fruit preserves, fruit butters, honey butter and all extracted honey (including combinations of extracted and comb honey) packaged in containers of a capacity of 15 pounds or less. Not included in this definition are cranberry jelly or sauce and peanut butter.	(15) "Jams, jellies, preserves and honey". Excluded are: Honey packed with blossom and comb honey.	(15) "Jams, jellies, preserves and honey". Excluded are: Wine jellies, preserved kumquats, lemon marmalade, guava jelly, and imported jams, jellies, preserves and honey if imported in consumer size containers.
(15a) "Peanut butter" includes all smooth or crunch type nut butters.	(15a) "Peanut butter". Excluded are: None.	(15a) "Peanut butter". Excluded are: None.
(16) "Lard, pure" includes, but is not limited to, rendered pork fat. Not included in this definition are lard compounds, which are classed as "shortenings, other".	(16) "Lard, pure". Excluded are: None.	(16) "Lard, pure". Excluded are: None.
(17) "Macaroni and spaghetti products" includes but is not limited to, haws, egg alphabets, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meat balls, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.	(17) "Macaroni and spaghetti products". Excluded are: None.	(17) "Macaroni and spaghetti products". Excluded are: Imported macaroni and spaghetti products if imported in consumer size containers.
(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise spreads and French dressing. Not included in this definition are meat spreads.	(18) "Mayonnaise and salad dressing". Excluded are: None.	(18) "Mayonnaise and salad dressing". Excluded are: Bottled table dressings and sauces of the following flavors: avocado, dill, onion, poppy seed, sherry, chive, garlic and mint; tartar sauce, hollandaise sauce, cheese dressing, and imported mayonnaise and salad dressing if imported in consumer size containers.
(19) "Meat, canned". Excluded are: Tongue spread, deviled tongue, pickled pork knuckles, pickled pork tidbits, liver paste, meat gravy, smoked tongue, liver, hearts, gizzards, cock-tail frankfurters, canned wild game, meat or poultry pates, pate de foie gras, rattlesnake meat, turtle meat, and imported canned meat if imported in consumer sizes of 2 pounds or less, except beef and beef products.	(19) "Meat, canned". Excluded are: Breast of chicken, chicken fricassee, whole or half chicken, chicken a la king, "Smithfield" ham and "Smithfield" ham products and any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.	(19) "Meat, canned". Excluded are: Any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.
(19a) "Luncheon meats, canned". Excluded are: Any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.	(19a) "Luncheon meats, canned". Excluded are: Any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.	(19a) "Luncheon meats, canned". Excluded are: Imported luncheon meats if imported in consumer sizes of 2 pounds or less, except beef products.
(20) "Milk, canned". Excluded are: None.	(20) "Milk, canned". Excluded are: None.	(20) "Milk, canned". Excluded are: None.
(21) "Oils, cooking and salad". Excluded are: None.	(21) "Oils, cooking and salad". Excluded are: None.	(21) "Oils, cooking and salad". Excluded are: None.
(22) "Oleomargarine". Excluded are: None.	(22) "Oleomargarine". Excluded are: None.	(22) "Oleomargarine". Excluded are: None.
(23) "Pickles and relishes". All commodities in this category are excluded from price control, including pickled fruits and vegetables, pickled relishes and stuffed pickles.	(23) "Pickles and relishes".	(23) "Pickles and relishes".
(24) "Rice". Means all rice (including second heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.	(24) "Rice". Excluded are: Screenings and brewers' rice graded as Class XIII and Class XIV, respectively, by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946).	(24) "Rice". Excluded are: Wild rice.
(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated". Excluded are: None.	(25) "Shortening, hydrogenated". Excluded are: None.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCFR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>	(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCFR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.	(26) "Shortening, other". Excluded are: None.	(26) "Shortening, other". Excluded are: None.	(32) "Vegetables and vegetable juices, canned" includes baked beans with ham, mushroom sauce, Chinese style foods, including soy sauce and brown sauce. Not included in this definition are vegetable soups, "baby" or "junior" foods, pickles, corn, green beans, peas (except field peas), shoestring and julienne potatoes, french fried onions, tomatoes, tomato juice and frozen vegetables.	(32) "Vegetables and vegetable juices, canned". Excluded are: None.	(32) "Vegetables and vegetable juices, canned". Excluded are: Artichoke products, asparagus, cabbage (red or white), brussels sprouts, broccoli, beans (lima or wax), beets, carrots, celery, eggplant, fresh and dry black-eye, crowder, cream and field peas and fresh shelled beans (all varieties), cauliflower, fresh field corn, salsify, tomato sauce, seafood cocktail sauce, hominy, soy beans, mixtures of vegetables, mushrooms, okra, onions, pol. peppers (all varieties), parsnips, pimientos, potatoes, white and sweet, pumpkin, sauerkraut, squash, spinach, succotash, rutabaga, turnips, vegetable turnip greens, vegetable mixtures thereof, tomato paste, tomato pulp or puree, chili sauce, tomato catsup, canned beans including pork and beans but excluding beans with ham or other meat, bean sprouts, Chinese mixed vegetables, Chinese chow mein, and Chinese chop suey.
(27) "Soups, canned" includes soups, broths and chowder. Not included in this definition are meat stews, "baby" or "junior" soups, dehydrated soups, and frozen soups.	(27) "Soups, canned". Excluded are: All bisques (except tomato, chicken, celery and mushroom).	(27) "Soups, canned". Excluded are: French onion soup (consumer size containers), consommé madrilène, jellied chicken consommé, vichyssoise, black bean soup, borscht, cheese soup, consommé julienne, minestrone, mushroom broth, onion à la Bretonne, petite marmite, turtle, wine and sherry flavored, fish or seafood soups (except clam chowder), smoked turkey and game bird soups, almond, artichoke, avocado, broccoli, cucumber and watercress soups, and all imported soups if imported in consumer size containers.	(33) "Corn, green beans, peas, tomatoes and tomato juice, canned". All commodities in this category are excluded from price control.	(33) "Corn, green beans, peas, tomatoes and tomato juice, canned".	(33) "Corn, green beans, peas, tomatoes and tomato juice, canned".
(28) "Soups, dehydrated" means dry mixtures sold for soup making, including but not limited to, dry vegetable and dry noodle soup mixtures. Not included in this definition are other macaroni or noodle products, lentils and dried peas.	(28) "Soups, dehydrated". Excluded are: None.	(28) "Soups, dehydrated". Excluded are: Bouillon cubes and bouillon powders.	(34) "Vegetables, dried and dehydrated". All commodities in this category are excluded from price control, including mushrooms and lentils.	(34) "Vegetables, dried and dehydrated".	(34) "Vegetables, dried and dehydrated".
(29) "Spices" includes imported spices and domestic spices mixed or combined with imported spices, seeds and herbs. Included in this definition are caraway seeds, dried peppers, dry chili, chili powder, herbs, dry mustard, poultry seasoning, poppy seed, sesame seed, thyme, and cream of tartar. Not included in this definition are table salt and spice oils.	(29) "Spices". Excluded are: Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States; spices in assorted sets, contained in wooden or other type trays designed as permanent kitchen furniture, and spices and herbs packed in glass.	(29) "Spices". Excluded are: Imported spices, seeds and herbs if imported in consumer size containers, and domestic spices produced in the United States that are not mixed or combined with imported spices, seeds and herbs.	(35) "Vinegar" includes, but is not limited to, pure cider vinegar and distilled vinegar.	(35) "Vinegar". Excluded are: Malt and fruit vinegar (except apple).	(35) "Vinegar". Excluded are: Wine and herbal vinegar and imported vinegars if imported in consumer size containers.
(30) "Syrups" means all malt, molasses, cane, maple, corn syrups, and imitations or blends. Not included in this definition are chocolate and ice cream sundae syrups.	(30) "Syrups". Excluded are: Unmixed corn syrups, molasses sold for feeding purposes, sorghum syrup and fruit syrups for making beverages.	(30) "Syrups". Excluded are: Rock candy syrup, and imported syrup, if imported in consumer size containers.	(36) "Miscellaneous foods" shall include all other dry grocery items except those specifically excluded in paragraphs (c) and (d) of this section. Non-food items are, of course, not included. Among the items included under this heading are the following: Baking powder. Baking soda. Barley (pearl). Brown bread, and date and nut bread, canned. Brewers yeast in consumer size packages not to exceed 2 pounds. Coconut, shredded, desiccated or moist. "Cookies, crackers, toast and crumbs" bought by you in bulk and sold loose. Corn starch packaged in containers of 10 pounds or less. Crab meat, canned. Enchiladas (tins, jars, paper or corn wrapped).	(36) "Miscellaneous foods". Excluded are: Beer. Buttermilk, fresh. Candy (except pure maple sugar candy). Corn starch (packaged in containers of more than 10 pounds). Corn sugar. Cream, fresh. Eggs. Feed, animal, poultry or pet foods (except dog and cat food). Fruit cake, except holiday gift or holiday packages bought assembled, and containing one or more items covered by this regulation. Goat milk. Ice cream in cones.	(36) "Miscellaneous foods". Excluded are: All package and bulk sales of the following prepared salads and ready-to-serve desserts: cabbage, potato, mixed vegetables, macaroni, waldorf, apple-pecan in gelatin, fresh banana in gelatin, fruit cocktail in gelatin, lemon aspic in gelatin, pineapple in gelatin, and crushed pineapple in pineapple gelatin. Antipasto. Apple chips, crunchy, canned and packaged. Apple nougats, canned or packaged. Apple-pie mix. Apples and other fruit pomaces. Bananas in tins. Bacon rinds, fried. Bamboo shoots, canned. Cane or beet sugar.
(31) "Tea" includes all bulk or packaged tea, teabags and concentrated tea.	(31) "Tea". Excluded are: Assam, Darjeeling, Formosa, Oolong, Ceylon, Keemun, Lapsang, Souchong, Jasmine, and Fancy Green Teas and blends thereof, mate, and sales of tea in containers of the customary unit and weight in which they are imported into the United States.	(31) "Tea". Excluded are: Imported tea, if imported in consumer size containers.			

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
		(36) "Miscellaneous foods"—Con. Excluded are—Continued Toppings in hermetically sealed containers when processed from vegetable oils, stabilizers and dry milk solids with not more than 15 percent of the total ingredients by weight consisting of dry milk solids. Truffles. Vegetable flakes. Vegetable powders. Vegetable protein, hydrolyzed, when sold in containers of 16 ounces or less. Vegetable salt. Walnut sauce. Water chestnuts, canned.

5. Section 38 is revised to read as follows:

Sec. 38. *Table of markups for "perishables" (Table B) —(a) Table B: Markups over "net cost" allowed to Group 3 and Group 4 retailers for "perishables" covered by this regulation by commodities.*

TABLE B—MARKUPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

Food Commodities	Allowed markups over net cost		Selling unit in which ceiling price must be calculated
	Group 3, retailer other than independent with annual volume of \$375,000 or more	Group 4, any retailer with annual volume of \$375,000 or more	
(1) Dairy products: Butter Cheese	Percent 10 27	Percent 10 25	1 pound. 1 pound or 1 package.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(36) "Miscellaneous foods"—Continued Fruit peatins. Ice cream sundae syrups, including chocolate syrup packed in No. 10 tins or larger. Lobster, canned. Macaroni salad, canned. Meat flavorings. Meat sauces, except catsup, cocktail sauce and chili sauce. Mustard, prepared. Oysters (canned) except smoked. Puddings, date, fig or plum. Powdered milk product containing 40 percent or more milk sugars. Scrapple, canned. Spanish rice, canned. Table salt packaged in cartons, bags, or packets containing 100 pounds or less, meat-curing and smoked salt, kosher salt in cartons and salt packaged in containers of 10 pounds or less and labeled by the manufacturer as ice cream salt. (Excluded are onion, celery or garlic salt.) Spice oils. Tamales, canned. Tripe, canned. Vanilla extract. Veal loaf, canned. Yeast.	(36) "Miscellaneous foods"—Con. Excluded are—Continued Ice cream, sherberts and frozen confections. Liquors. Meat (except "meat, canned"). Milk, fresh. Mineral oil. Nuts. Peanuts. Poultry, other than canned. Salt not covered by sec. 37 (b) (36). Soft drinks. Tamales, bulk. Tortillas. Vitamin concentrates. Wine. Yogurt.	(36) "Miscellaneous foods"—Con. Excluded are—Continued Capers. Cherry-pie mix. Chutney, canned. Citrus fruit beverage bases and other fruit beverage bases (but not fruit ades or soft drinks made therefrom). Clam juice. Cones for ice cream. Crab meat, deviled. Crapes suzette. Easter egg dye. Egg-nog, bottled. Flavorings in containers of 16 ounces or less. Food colorings in containers of 16 ounces or less. Food flavoring extracts (except vanilla). Fresh fruits and vegetables. Fried worms, canned. Fruit cake, holiday, that is fruit cake which: (1) contains not less than 50 percent by weight of fruits and nuts in relation to the total weight of the fruit cake mix; and which (2) is packaged by the manufacturer in a wrapper or container which indicates that such fruit cake is packaged expressly for sale during the Thanksgiving or Christmas season or both. Ginger, candied. Gravy and gravy mixes, canned or dehydrated. Horseradish. Lobster a la Newburg. Maple sugar, pure. Maple sugar candy, pure. Meat loaf spice mixtures, canned. Minced meat. Monosodium glutamate when sold in containers of 16 ounces or less. Olives. Olive oil. Olive spreads. Onions, French. Oysters, smoked. Palm hearts, canned. Picked boneless or semiboneless pigs feet in containers of 28 ounces or less. Popcorn and popping corn. Potatoes, white, peeled, whole or sliced, chemically treated. Potato chips. Potatoes, julienne and shoe-string. Potato starch. Prepared pastry doughs. Processed pumpkin seeds. Pumpkin-pie mix. Snails, canned. Sauces, hot. Sauces, fish. Sweetpotato-pie mix, canned. Tapioca food starch sold in bulk. Tom and Jerry batter. Tomato aspic and any other vegetable aspic, canned.

(1) <i>"Dairy products"</i> . "Butter" (packaged) means only butter from milk, including but not limited to, processed salted, unsalted and whipped butter. Not included in this definition are peanut, nut, fruit or honey butters. "Cheese" shall include all packaged cheese, cheese spreads, and cheese foods purchased packaged.	(c) <i>Commodities excluded from this regulation, but subject to GCPR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
	"Butter". Excluded are: Bulk or tub butter. "Cheese". Excluded are: Imported packaged cheese if imported in consumer size containers. Cheese gift packages of assorted cheeses if assembled by you, and all types of bulk cheese.	"Butter". Excluded are: None. "Cheese". Excluded are: None.

6. Paragraph (b) of section 39 is revised by changing the third sentence of the third undesignated paragraph to read as follows: "Net cost per unit means, in the case of dry groceries, the 'net cost' of a single unit (one can, one jar, etc.)."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective November 24, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 21, 1952.

[F. R. Doc. 52-12545; Filed, Nov. 21, 1952;
12:41 p. m.]

[Ceiling Price Regulation 16, Amdt. 20]

CPR 16—CEILING PRICES OF CERTAIN
FOODS SOLD AT RETAIL IN GROUP 1 AND
2 STORES

REVISION OF TABLES A AND B AND COMMODITY
GROUP DEFINITIONS; UNIT RULE FOR BABY
FOOD

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 20 to Ceiling Price Regulation 16 is hereby issued.

STATEMENT OF CONSIDERATIONS

This statement of considerations covers Amendment 20 to Ceiling Price Regulation 15 and Amendment 20 to Ceiling Price Regulation 16. These amendments revise and bring up to date Tables A and B and the commodity group definitions in CPRs 15 and 16 in order to conform with General Overriding Regulation 7, Revision 1. The amendments also make certain other minor corrections and clarifications in Tables A and B, and in the commodity group definitions. Finally, the amendments require retailers to revert to the single unit basis of establishing ceiling prices for baby food in cans.

General Overriding Regulation 7, Revision 1, decontrolled a number of food products as insignificant in the cost of living or as removed from price control by the Harrison Amendment which exempted fruits and vegetables in fresh or processed form from price control. Many of these food products had previously been covered by CPRs 15 and 16 but, because of the nature of a general overriding regulation, were in effect removed from the ceiling price regulations even though they had not been deleted by formal amendment. However, in order to avoid confusion and misunderstanding, the tables and commodity group definitions of CPRs 15 and 16 are revised by the present action to conform

with GOR 7, Revision 1. Although it has been necessary (in order to effectuate certain adjustment provisions) to list certain commodity group headings of fruits or vegetables even where no items in the listed commodity grouping remain under control, it is thought that none of the commodities decontrolled by GOR 7 now remains listed as controlled by CPRs 15 and 16. Except for minor corrections and clarifications the revised tables and commodity group definitions contain no substantive changes not already made through the overriding effect of GOR 7, Revision 1.

These amendments also return baby foods to the single unit pricing provisions of CPRs 15 and 16. Recently OPS determined that manufacturers of baby food were entitled to adjustments under the OPS industry earnings standard and, accordingly, issued Supplementary Regulation 107 to the General Ceiling Price Regulation. However, after a short time it was shown by the manufacturers that if they realized the earnings standard increases permitted under SR 107 the result would be a reduction in the margins of retailers selling canned baby food. Therefore, Amendments 18 to CPRs 15 and 16 were issued to prevent a margin squeeze on the retailers by providing a means for retailers to establish a unit ceiling price on three cans of baby food instead of on the single unit basis otherwise provided in the regulations.

It now appears, however, that since the manufacturers have decided not to take the permitted increases, the result of the operation of the multiple unit rule authorized by Amendments 18 has been an unwarranted increase in retail markups. To continue Amendments 18 in effect is not only unnecessary to prevent a squeeze but also would result in unjustifiably higher ceiling prices to consumers and, therefore, these amendments remove from CPRs 15 and 16 the provisions for multiple unit pricing of baby foods. However, if a retail problem on baby food does develop in the future, the matter will be given further consideration at such time in the light of the retail markups then in effect.

In view of the nature of these amendments, special circumstances have rendered consultation with industry representatives, including trade association representatives, impractical. In the judgment of the Director the provisions of these amendments are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 16 is amended in the following respects:

1. Paragraph (a) of Section 4 is revised by deleting subparagraph (3) and

by redesignating present subparagraphs (4) and (5) as (3) and (4), respectively.

2. Paragraph (c) of Section 4 is revised by deleting subparagraph (2).

3. Section 10 is revised by deleting the second sentence.

4. Section 32 is revised to read as follows:

SEC. 32. Table of markups for "dry groceries" (Table A)—(a) Table A: Markups over "net cost" allowed to Groups 1 and 2 retailers for dry groceries covered by this regulation by commodities.

TABLE A—MARKUPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed markups over net cost independent retailers with annual volumes	
	Group 1, under \$75,000	Group 2, \$75,000 or more but less than \$375,000
	Percent	Percent
1. Baby foods.....	25	23
2. Cereals, breakfast.....	24	22
3. Cocoa, chocolate and cereal drink preparations.....	29	29
4. Coffee.....	17	17
4a. Coffee concentrates.....	19	19
5. Cookies, toast and crumbs.....	30	30
5a. Crackers.....	25	25
6. Corn meal, hominy and flour mixes.....	29	29
7. Dog and cat foods.....	27	27
8. Fish, processed.....	29	29
8a. Salmon and tuna, processed.....	27	27
9. Flour.....	27	27
10. Frozen foods.....	30	30
11. Fruits, berries and fruit juices (canned) except fruit cocktail, pineapple, peaches and pears.....	31	31
12. Fruit cocktail, pineapple, peaches and pears (canned) except juices ¹		
13. Fruits, dried and dehydrated ¹		
14. Gelatin and pudding mixtures.....	28	25
15. Jams, jellies, preserves and honey.....	36	36
15a. Peanut butter.....	32	32
16. Lard, pure.....	20	18
17. Macaroni and spaghetti products.....	32	32
18. Mayonnaise and salad dressing.....	24	24
19. Meat, canned.....	25	25
19a. Luncheon meats.....	21	21
20. Milk, canned.....	20	20
21. Oils, cooking and salad.....	28	28
22. Oleomargarine.....	20	18
23. Pickles and relishes ¹		
24. Rice.....	28	28
25. Shortening, hydrogenated.....	9	9
26. Shortening, other.....	18	18
27. Soups, canned.....	27	26
28. Soups, dehydrated.....	34	34
29. Spices.....	46	46
30. Syrups.....	28	23
31. Tea.....	26	26
32. Vegetables and vegetable juices (canned) except corn, green beans, peas, tomatoes and tomato juice.....	32	32
33. Corn, green beans, peas, tomatoes and tomato juice (canned) ¹		
34. Vegetables, dried and dehydrated ¹		
35. Vinegar.....	39	37
36. Miscellaneous foods.....	40	40

¹ All commodities in this category are excluded from price control.

(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPH or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>	(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GCPH or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(1) "Baby foods" means "baby" or "junior" cereals, fruits, vegetables, meats, puddings, soups and mixtures thereof, packed in hermetically sealed containers.	(1) "Baby foods". Excluded are: Dry baby cereals.	(1) "Baby foods". Excluded are: Fruits, vegetables (including creamed vegetables), and their juices, and combinations of fruits, vegetables, or their juices, with no other ingredients added except water sufficient for preparation, salt or sugar. Soups are not within this exclusion.	(6) "Corn meal, hominy and flour mixes" means corn meal, hominy, hominy grits, hominy flakes, prepared hominy and flour mixes milled from wheat, semolina, farina, buckwheat, corn, rice and potatoes, including, but not limited to prepared pancake, biscuit, pie crust and gingerbread mix and any item containing ingredients to prepare crust and filling for a pie. Not included in this definition is canned hominy, which is in "Vegetables and vegetable juices, canned".	(6) "Corn meal, hominy and flour mixes". Excluded are: None.	(6) "Corn meal, hominy and flour mixes". Excluded are: Water ground corn meal.
(2) "Cereals, breakfast" means cereal commonly used as breakfast foods, both uncooked and ready-to-eat types including, but not limited to, bran flakes, farina, popped rice, and rolled oats. Not included in this definition are barley, corn meal, corn grits, hominy grits and flakes, rice and wheat bran flour.	(2) "Cereals, breakfast". Excluded are: Steel cut oats.	(2) "Cereals, breakfast". Excluded are: Wheat germ, breakfast" if imported in consumer size containers.	(7) "Dog and cat food" shall not include any item prepared by you for pet food, or any frozen dog or cat food.	(7) "Dog and cat food". Excluded are: None.	(7) "Dog and cat food". Excluded are: None.
(3) "Cocoa, chocolate, and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chocolate, malted milk preparations containing less than 35 percent malted milk, chocolate syrup packed in consumer sizes, chocolate hits, and cooking chocolate and packaged powdered skim milk (spray process). Not included in this definition is any powdered milk product containing 40 percent or more milk sugars.	(3) "Cocoa, chocolate, and cereal-drink preparations". Excluded are: Chocolate confections, bitter-sweet bars, milk chocolate, powdered whole milk; powdered skim milk (except spray process).	(3) "Cocoa, chocolate, and cereal-drink preparations". Excluded are: Powdered malted milk and any preparations containing 35 percent or more powdered malted milk, and imported cocoa, chocolate and cereal drink preparation if imported in consumer size containers.	(8) "Fish, processed" includes canned fish, processed fish, such as fish cakes. Not included in this definition are canned crab meat, lobster, oysters, salmon and tuna, and frozen food products in which fish or seafood are combined with other ingredients.	(8) "Fish, processed". Excluded are: Kipperd, marinated, dried or smoked fish and seafoods (except sardines).	(8) "Fish, processed". Excluded are: Canned clams, shrimp a la Newburg, shad, turtle or terrapin, anchovy roll fillets; frozen fish and seafood; fresh fish and seafood; fish and seafood pâtés, pastes and purees; sauce containing fish and seafood; fish roe, caviar, fish and seafood hors d'oeuvres; and imported "fish, processed" if imported in consumer size containers.
(4) "Coffee" means roasted coffee, whole or ground, decaffeinated coffee, and any mixtures of coffee with other products for beverage purposes. Not included in this definition are all "coffee concentrates" including "frozen coffee concentrates".	(4) "Coffee". Excluded are: Green coffee in containers of the customary unit and weight in which they are imported into the United States.	(4) "Coffee". Excluded are: Imported coffee if imported in consumer size containers (2 pounds or less) and coffee packaged in bags, each containing only the amount necessary to make 1 ordinary cup of coffee.	(8a) "Salmon and tuna, processed". Excluded are: Frozen, kippered, marinated, dried or smoked salmon or tuna.	(8a) "Salmon and tuna, processed". Excluded are: None.	(8a) "Salmon and tuna, processed". Excluded are: None.
(4a) "Coffee concentrates" includes but is not limited to instant and soluble coffee concentrates whether or not mixed with other ingredients. Not included in this definition is frozen coffee concentrate.	(4a) "Coffee concentrates". Excluded are: None.	(4a) "Coffee concentrates". Excluded are: Imported coffee concentrates if imported in consumer size containers.	(9) "Flour" means flour milled from wheat, semolina, farina, buckwheat, corn, rice, and potatoes, including but not limited to, all-purpose family flour, self-rising flour, cake flour, and enriched flour. Not included in this definition are all flour mixes.	(9) "Flour". Excluded are: None.	(9) "Flour". Excluded are: Potato flour, water ground wheat flour and water ground buckwheat flour.
(5) "Cookies, toast, and crumbs" includes, but is not limited to biscuits, Christmas cookies, fig bars or cookies, pretzels, rye crackers, zwieback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal and related matzo products. Not included in this definition are any items which are bought by you in bulk and sold loose, or any "crackers" as defined below.	(5) "Cookies, toast, and crumbs". Excluded are: Any bakery product except your manufacture except "crackers," Passover matzo, Passover matzo meal and related Passover products, any item which is purchased in consumer sizes in tin or glass containers, baked goods, fresh, such as bread, pies, cakes, rolls, doughnuts, coffee cakes, candies (except cookies, toast and crumbs), and rice crackers.	(5) "Cookies, toast, and crumbs". Excluded are: Imported cookies and toast, if imported in consumer size containers.	(10) "Frozen foods" means packaged quick-frozen or cold-packed foods sold from refrigerated cabinets or lockers, including but not limited to dog and cat food, Chinese foods, macaroni products, coffee concentrates, concentrated fresh milk, pies and pastries, meat stews, corned beef hash, meat pies, and food products in which fish or seafood, meat or poultry are combined with other ingredients.	(10) "Frozen foods". Excluded are: Meat, poultry, ice cream, sherbet, and confections.	(10) "Frozen foods". Excluded are: Hollandaise sauce, fish and seafood, prepared pastry doughs, all fruits, berries, fruit or berry juices and concentrates, vegetables, vegetable juices, mushrooms, coconut, cooked spaghetti products with or without sauce, bean sprouts, Chinese mixed vegetables, Chinese chow mein, Chinese chop suey, soups, gravies and pork and beans.
(5a) "Crackers" means all types of soda, sprayed, butter and graham crackers. Not included in this definition are any items which are bought by you in bulk and sold loose.	(5a) "Crackers". Excluded are: Any cracker product which you manufacture, and any cracker item which is purchased in consumer sizes in tin or glass containers.	(5a) "Crackers". Excluded are: Imported crackers, if imported in consumer size containers.			

(h) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GPCR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>	(h) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items	(c) <i>Commodities excluded from this regulation, but subject to GPCR or other applicable regulations</i>	(d) <i>Commodities excluded from price control at wholesale and retail</i>
(11) "Fruits, berries and fruit juices, canned" includes fountain fruits, and non-carbonated liquid fruit beverages such as grapeade, lemonade and orangeade. Not included in this definition are apple butter, fruit butters, jams, jellies, fruit preserves, coconut, baby foods, fruit cocktail, pineapple (except pineapple juice), peaches, pears and frozen fruits.	(11) "Fruits, berries and fruit juices, canned". Excluded are: None.	(11) "Fruits, berries and fruit juices, canned". Excluded are: Branded, liquor flavored or stuffed melon, fruit rind, half citrus fruits; cocktail slices and sticks; maraschino cherries; all varieties of canned apples, applesauce, apricots, cherries, currants, cherries, figs, fruit for salad (including fruit mixtures), fruit and berry juices and nectars, including apple and other fruit ciders, plums, prunes, mangoes, citrus fruits, juices and concentrates, grapes, nectaries, quinces, papayas and guavas.	(18) "Mayonnaise and salad dressing" includes, but is not limited to, relish spreads, other mayonnaise and French dressing. Not included in this definition are meat spreads.	(18) "Mayonnaise and salad dressing". Excluded are: None.	(18) "Mayonnaise and salad dressing". Excluded are: Bottled table dressings and sauces of the following flavors: avocado, dill, onion, poppy seed, sherry, chive, garlic and mint; tartar sauce, hollandaise sauce, cheese dressing, and imported mayonnaise and salad dressing if imported in consumer size containers.
(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices". All commodities in this category are excluded from price control.	(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices".	(12) "Fruit cocktail, pineapple, peaches and pears (canned) except juices".	(19) "Meat, canned" includes but is not limited to, canned or glass chicken products, turkey products, chicken and noodles, corned beef, meat ravioli, chili con carne, meat stews, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, enchiladas, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies, any frozen meat or meat product which is in a pliable plastic or similar type of container and any "canned meat" as defined in category (19) above.	(19) "Meat, canned". Excluded are: Breast of chicken, chicken fricassee, whole or half chicken, chicken a la king, "Smithfield" ham and "Smithfield" ham products and any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.	(19) "Meat, canned". Excluded are: Tongue spread, deviled tongue, pickled pork knuckles, pickled pork tidbits, liver paste, meat gravy, smoked tongue, liver, hearts, gizzards, cocktail frankfurters, canned wild game, meat or poultry pates, pate de foie gras, rattlesnake meat, turtle meat, and imported canned meat if imported in consumer sizes of 2 pounds or less, except beef and beef products.
(13) "Fruits, dried and dehydrated". All commodities in this category are excluded from price control, including all dried, dehydrated and stuffed fruits	(13) "Fruits, dried and dehydrated".	(13) "Fruits, dried and dehydrated".	(19a) "Luncheon meats, canned" includes, but is not limited to, spiced ham, pressed ham, chopped ham, spiced pork and spiced beef and pork. Not included in this definition are pigs feet, scrapple, tamales, tripe, veal loaf, mince meat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies, any frozen meat or meat product which is in a pliable plastic or similar type of container and any "canned meat" as defined in category (19) above.	(19a) "Luncheon meats, canned". Excluded are: Any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts.	(19a) "Luncheon meats, canned". Excluded are: Imported luncheon meats if imported in consumer sizes of 2 pounds or less, except beef products.
(14) "Gelatin and pudding mixtures". Excluded are: None.	(14) "Gelatin and pudding mixtures". Excluded are: None.	(14) "Gelatin and pudding mixtures". Excluded are: Wine gelatins, wine dessert powders, and all imported gelatin and pudding mixtures if imported in consumer size containers.	(20) "Milk, canned" means evaporated or condensed cow milk, including but not limited to, filled evaporated milk products.	(20) "Milk, canned". Excluded are: None.	(20) "Milk, canned". Excluded are: None.
(15) "Jams, jellies, preserves and honey". Excluded are: Honey packed with blossom and corn honey.	(15) "Jams, jellies, preserves and honey". Excluded are: Honey packed with blossom and corn honey.	(15) "Jams, jellies, preserves and honey". Excluded are: Wine jellies, preserved kumquats, lemon marmalade, guava jelly, and imported jams, jellies, preserves and honey if imported in consumer size containers.	(21) "Oils, cooking and salad" means all vegetable oils, fruit leaf plant oils, and cooking fats other than lard and shortening. Not included in this definition are olive oil, prepared dressings, and spice oils.	(21) "Oils, cooking and salad". Excluded are: None.	(21) "Oils, cooking and salad". Excluded are: None.
(15a) "Peanut butter" includes all smooth or crunch type nut butters.	(15a) "Peanut butter". Excluded are: None.	(15a) "Peanut butter". Excluded are: None.	(22) "Oleomargarine" means any product labeled "Oleomargarine".	(22) "Oleomargarine". Excluded are: None.	(22) "Oleomargarine". Excluded are: None.
(16) "Lard, pure" includes, but is not limited to, rendered pork fat. Not included in this definition are lard compounds, which are classed as "shortenings, other".	(16) "Lard, pure". Excluded are: None.	(16) "Lard, pure". Excluded are: None.	(23) "Pickles and relishes". All commodities in this category are excluded from price control, including pickled relishes and stuffed pickles.	(23) "Pickles and relishes". Excluded are: None.	(23) "Pickles and relishes". Excluded are: None.
(17) "Macaroni and spaghetti products" includes but is not limited to, bows, egg alphabets, macaroni, spaghetti, vermicelli, sea shells, noodles, macaroni dinners, spaghetti dinners, canned macaroni and canned spaghetti. Not included in this definition are meat ravioli, tamales, dry noodle soup mixtures, spaghetti-and-meat balls, chicken-and-noodles, Chinese-style noodles, and frozen macaroni and spaghetti products.	(17) "Macaroni and spaghetti products". Excluded are: None.	(17) "Macaroni and spaghetti products". Excluded are: Imported macaroni and spaghetti products if imported in consumer size containers.	(24) "Rice" means all rice (including second and heads) of the grades defined by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946). Not included in this definition are rice flour, rice flakes, popped rice, and canned Spanish rice.	(24) "Rice". Excluded are: Screenings and brewers' rice graded as Class XIII and Class XIV respectively, by the Department of Agriculture bulletin of Standards for Milled Rice (effective Sept. 4, 1946).	(24) "Rice". Excluded are: Wild rice.
(18) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(18) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(18) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated" means all fully hydrogenated shortening.	(25) "Shortening, hydrogenated". Excluded are: None.	(25) "Shortening, hydrogenated". Excluded are: None.

(h) Commodity definitions. These definitions apply to both domestic and imported items	(c) Commodities excluded from this regulation, but subject to GCFR or other applicable regulations	(d) Commodities excluded from price control at wholesale and retail
(26) "Shortening, other" means shortenings other than fully hydrogenated shortening. Not included in this definition are butter, lard, oleomargarine, and suet.	(26) "Shortening, other". Excluded are: None.	(26) "Shortening, other". Excluded are: None.
(27) "Soups, canned" includes soups, broths and chowder. Not included in this definition are meat stews, "baby" or "junior" soups, dehydrated soups and frozen soups.	(27) "Soups, canned". Excluded are: All hisques (except tomato, chicken, celery and mushroom room).	(27) "Soups, canned". Excluded are: French onion soup (consumer size containers), consommé madrilène, jellied chicken consommé, vichyssoise, black bean soup, borscht, cheese soup, consommé julienne, minestrone, mushroom broth, onion à la Bretonne, petite marmite, turtle, wine and sherry flavored, fish or seafood soups (except clam chowder), smoked turkey and game bird soups, almond, artichoke, avocado, broccoli, cucumber, and watercress soups, and all imported soups if imported in consumer size containers.
(28) "Soups, dehydrated" means dry mixtures sold for soup making, including but not limited to, dry vegetable and dry noodle soup mixtures. Not included in this definition are other macaroni or noodle products, lentils and dried peas.	(28) "Soups, dehydrated". Excluded are: None.	(28) "Soups, dehydrated". Excluded are: Bouillon cubes and bouillon powders.
(29) "Spices" includes imported spices and domestic spices mixed or combined with imported spices, seeds and herbs. Included in this definition are caraway seeds, dried peppers, dry chili, chili powders, herbs, dry mustard, poultry seasoning, poppy seed, sesame seed, thyme, and cream of tartar. Not included in this definition are table salt and spice oils.	(29) "Spices". Excluded are: Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States; spices in assorted sets, contained in wooden or other type trays designed as permanent kitchen furniture, and spices and herbs packed in glass.	(29) "Spices". Excluded are: Imported spices, seeds and herbs if imported in consumer size containers, and domestic spices produced in the United States that are not mixed or combined with imported spices, seeds and herbs.
(30) "Syrups" means all malt, molasses, cane, maple, corn syrups, and imitations or blends. Not included in this definition are chocolate and ice cream sundae syrups.	(30) "Syrups". Excluded are: Unmixed corn syrups, molasses sold for feeding purposes, sorghum syrup and fruit syrups for making beverages.	(30) "Syrups". Excluded are: Rock candy syrup, and imported syrup, if imported in consumer size containers.
(31) "Tea" includes all bulk or packaged tea, teabags and concentrated tea.	(31) "Tea". Excluded are: Assam, Darjeeling, Formosa, Oolong, Ceylon, Kee-Mun, Lapsang, Souchong, Jasmine, and Fancy Green Teas and blends thereof, mate, and sales of tea in containers of the customary unit and weight in which they are imported into the United States.	(31) "Tea". Excluded are: Imported tea, if imported in consumer size containers.
(32) "Vegetables and vegetable juices, canned". Excluded are: None.	(32) "Vegetables and vegetable juices, canned". Excluded are: None.	(32) "Vegetables and vegetable juices, canned". Excluded are: None.
(33) "Corn, green beans, peas, tomatoes and tomato juice, canned". All commodities in this category are excluded from price control.	(33) "Corn, green beans, peas, tomatoes and tomato juice, canned". All commodities in this category are excluded from price control.	(33) "Corn, green beans, peas, tomatoes and tomato juice, canned". All commodities in this category are excluded from price control.
(34) "Vegetables, dried and dehydrated". All commodities in this category are excluded from price control, including mushrooms and lentils.	(34) "Vegetables, dried and dehydrated". All commodities in this category are excluded from price control, including mushrooms and lentils.	(34) "Vegetables, dried and dehydrated". All commodities in this category are excluded from price control, including mushrooms and lentils.
(35) "Vinegar" means all malt, molasses, cane, maple, corn syrups, and imitations or blends. Not included in this definition are chocolate and ice cream sundae syrups.	(35) "Vinegar". Excluded are: Wine and herbal vinegar and imported vinegars if imported in consumer size containers.	(35) "Vinegar". Excluded are: Wine and herbal vinegar and imported vinegars if imported in consumer size containers.
(36) "Miscellaneous foods". Excluded are: All packages and bulk sales of the following prepared salads and ready-to-serve desserts: cabbage, potato, mixed vegetables, macaroni, waldorf, apple-pecan in gelatin, fresh banana in gelatin, fruit cocktail in gelatin, lemon aspic in gelatin, pineapple in gelatin, and crushed pineapple in pineapple gelatin. Antipasto. Apple chips, crunchy, canned and packaged. Apple nougats, canned or packaged. Apple-pie mix. Apple and other fruit pomaces. Babas in tins. Bacon rinds, fried. Bamboo shoots, canned. Cane or beet sugar. Capers. Cherry-pie mix. Chutney, canned. Citrus fruit beverage bases and	(36) "Miscellaneous foods". Excluded are: Beer. Buttermilk, fresh. Candy (except pure maple sugar candy). Corn starch (packaged in containers of more than 10 pounds). Corn sugar. Cream, fresh. Eggs. Feed, animal, poultry or pet foods (except dog and cat food). Fruit cake, except holiday fruit cake. Gift or holiday packages brought assembled, and containing one or more items covered by this regulation. Goat milk. Ice cream, sherbets and frozen confections. Liquors. Meat (except "meat,"	(36) "Miscellaneous foods". Excluded are: Beer. Buttermilk, fresh. Candy (except pure maple sugar candy). Corn starch (packaged in containers of more than 10 pounds). Corn sugar. Cream, fresh. Eggs. Feed, animal, poultry or pet foods (except dog and cat food). Fruit cake, except holiday fruit cake. Gift or holiday packages brought assembled, and containing one or more items covered by this regulation. Goat milk. Ice cream, sherbets and frozen confections. Liquors. Meat (except "meat,"

5. Section 33 is revised to read as follows:

SEC. 33. (a) *Table of markups for "perishables"* (Table B)—(a) *Table B: Markups over "net costs" allowed to Group 1 and Group 2 retailers for "perishables" covered by this regulation by commodities.*

TABLE B—MARKUPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

5. Section 33 is revised to read as follows:

SEC. 33. (a) Table of markups for "perishables" (Table B)—(a) Table B: Markups over "net costs" allowed to Group 1 and Group 2 retailers for "perishables" covered by this regulation by commodities.

TABLE B—MARKUPS OVER “NET COST” ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

<p>(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items</p>	
<p>(1) <i>"Dairy products"</i> <i>"Butter"</i> (packaged) means only butter from milk, including but not limited to, processed salted, unsalted and whipped butter. Not included in this definition are peanut, nut, fruit or honey butters. <i>"Cheese"</i> shall include all packaged cheese, cheese spreads, and cheese foods purchased packaged.</p>	
<p>(c) <i>Commodity excluded from this regulation, but subject to GCPFE or other applicable regulations</i></p>	<p><i>"Butter"</i> Excluded are: Bulk or tub butters.</p>
<p>(d) <i>Commodities excluded from price control at wholesale and retail</i></p>	<p><i>"Butter"</i> Excluded are: None.</p> <p><i>"Cheese"</i> Excluded are: None.</p>

6. Paragraph (b) of Section 34 is revised by changing the third sentence of the third undesignated paragraph to read as follows: " 'Net cost per unit' means, in the case of dry groceries, the 'net cost' of a single unit (one can, one jar etc.). "

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective November 24, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 21, 1952.

[F. R. Doc. 52-12546; Filed, Nov. 21, 1952; 12:41 p. m.]

<p>(b) <i>Commodity definitions.</i> These definitions apply to both domestic and imported items</p>	<p>(36) "Miscellaneous foods"—Continued</p> <p>Lobster canned.</p> <p>Macaroni salad, canned.</p> <p>Meat flavorings.</p> <p>Meat sauces, except catsup, cocktail sauce and chili sauce.</p> <p>Mustard, prepared.</p> <p>Oysters (canned) except smoked.</p> <p>Puddings, date, fig or plum.</p> <p>Powdered milk product containing 40 percent or more milk sugars.</p> <p>Scrapple, canned.</p> <p>Spanish rice, canned.</p> <p>Table salt packaged in cartons, bags, or packets containing 100 pounds or less, meat-curing and smoked salt.</p> <p>Kosher salt in cartons and salt packaged in containers of 10 pounds or less and labeled by the manufacturer as ice cream salt. (Excluded are onion, celery or garlic salt.)</p> <p>Spice oils.</p> <p>Tamales, canned.</p> <p>Tripe, canned.</p> <p>Vanilla extract.</p> <p>Veal loaf, canned.</p> <p>Yeast.</p>
<p>(c) <i>Commodities excluded from this regulation, but subject to GCFR or other applicable regulations</i></p>	<p>(36) "Miscellaneous foods"—Con. Excluded are—Continued</p> <p>Canned").</p> <p>Milk, fresh.</p> <p>Mineral oil.</p> <p>Nuts.</p> <p>Peanuts.</p> <p>Poultry, other than canned.</p> <p>Salt, not covered by sec. 32 (b) (36).</p> <p>Soft drinks.</p> <p>Tamale, bulk.</p> <p>Tortillas.</p> <p>Vitamin concentrates.</p> <p>Wine.</p> <p>Yogurt.</p>
<p>(d) <i>Commodities excluded from price control at wholesale and retail</i></p>	<p>(36) "Miscellaneous foods"—Con. Excluded are—Continued</p> <p>other fruit beverage bases (but not fruit ades or soft drinks made therefrom).</p> <p>Clam juice.</p> <p>Cones for ice cream.</p> <p>Crah meat, deviled.</p> <p>Croques suzette.</p> <p>Easier egg dye.</p> <p>Egg-nog, bottled.</p> <p>Flavorings in containers of 16 ounces or less.</p> <p>Food colorings in containers of 16 ounces or less.</p> <p>Food flavoring extracts (except vanilla).</p> <p>Fresh fruits and vegetables.</p> <p>Fried worms, canned.</p> <p>Fruit cake, holiday, that is fruit cake which: (1) contains not less than 50 percent by weight of fruits and nuts in relation to the total weight of the fruit cake mix; and which (2) is packaged by the manufacturer in a wrapper or container which indicates that such fruit cake is packaged expressly for sale during the Thanksgiving or Christmas season or both.</p> <p>Ginger, candied.</p> <p>Gravy and gravy mixes, canned or dehydrated.</p> <p>Horsradish.</p> <p>Lobster a la Newburg.</p> <p>Maple sugar, pure.</p> <p>Maple sugar candy, pure.</p> <p>Meat loaf spice mixtures, canned.</p> <p>Mincemeat.</p> <p>Monosodium glutamate when sold in containers of 16 ounces or less.</p> <p>Olive oil.</p> <p>Olive spreads.</p> <p>Onions, French fried, canned.</p> <p>Oysters, smoked.</p> <p>Palm hearts, canned.</p> <p>Pickled boneless or semiboneless pigs feet in containers of 28 ounces or less.</p> <p>Popcorn and popping corn.</p> <p>Potatoes, white, peeled, whole or sliced, chemically treated.</p> <p>Potato chips.</p> <p>Potatoes, julienne and shoe-string.</p> <p>Potato starch.</p> <p>Prepared pastry doughs.</p> <p>Processed pumpkin seeds.</p> <p>Pumpkin-pie mix.</p> <p>Snails, canned.</p> <p>Sauces, hot.</p> <p>Sauces, fish.</p> <p>Sweetpotato-pie mix, canned.</p> <p>Tapioca food starch sold in bulk.</p> <p>Ton and Jerry batter.</p> <p>Tomato aspic and any other vegetable aspic, canned.</p> <p>Toppings in hermetically sealed containers when processed from vegetable oils, stabilizers and dry milk solids with not more than 15 percent of the total ingredients by weight consisting of dry milk solids.</p>

[General Ceiling Price Regulation, Amdt. 13 to Supplementary Regulation 13]

GCPR, SR 13—COKE, COAL CHEMICALS AND COKE OVEN GAS

ADJUSTMENTS OF CEILING PRICES, BY-PRODUCT OVEN COKE, COAL CHEMICALS AND GAS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 13 to Supplementary Regulation 13 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 13 to the General Ceiling Price Regulation authorizes an increase averaging 3.75 percent of ceiling prices of coke and coal chemicals produced in by-product coke oven operations and in addition permits a pass-through by each producer of such products of the actual amount of his increase in the delivered cost of coal. Adjustments in the ceiling prices of coke are permitted retroactive to September 29, 1952.

At the request of representatives of the by-product coke oven industry, the Office of Price Stabilization has completed a survey to determine whether the industry is qualified for an increase in its ceiling prices under the Industry Earnings Standard. In accordance with the requirements of this Standard, earnings data were obtained from a representative group of companies in the industry for the years 1946 through 1949, and for the first nine months of 1952. The price adjustment provided for by this amendment is based upon a comparison of the current earnings position of the companies surveyed with their earnings recomputed to 85 percent of earnings in the best three out of four years in the 1946-49 period. Owing to complications presented by the integration of coke oven operations with such activities as coal mining, steel, pig iron production, gas utility and chemical operations and the difficulty of obtaining net worth figures, and information available to the Office of Price Stabilization indicating the probability that net worth has increased, this Office decided to dispense with figures on net worth to avoid undue delay in completion of the survey.

A comparison of the earnings data indicated that the industry's earnings are below the minimum required by the Industry Earnings Standard as a result of increases in coal costs, freight rates, wages, other costs and expenses, to the extent that an average increase of 3.75 percent in ceiling prices is required. Since the amount of this increase will serve only to bring the industry up to the level of earnings found to be required under the Earnings Standard, it is further necessary to provide for recovery of higher coal costs resulting from the mine labor contracts which have recently been concluded. As the exact amount of such higher costs cannot now be determined, this amendment permits each company to compute its own in-

crease in cost and to adjust its ceiling prices accordingly.

The output of the industry consists of a number of co-products: coke (of various qualities and uses), coal tar, ammonia (generally processed to sulfate of ammonia), gas, and light oil being the principal items. While to some extent coke oven operations are controllable, the nature of the operations is such that significant variations in the output of any one co-product is not possible. In contrast, the demand for any one or more products may vary appreciably without corresponding change in the demand for the remainder, due to the great diversity of the uses to which coke oven products are put.

Although the by-product coking operations convert a ton of coal into approximately 70 percent (both in value and in quantity) of coke and 30 percent coal chemicals, it was found that actual "open market sales" of such products do not reflect this percentage distribution. While granting relief to the industry, the Agency did not consider it proper that any producer should be allowed to place a greater portion of his increased cost on his open-market sales than they bore to the total production. In order to do this, this amendment requires that the amount of increase is to be distributed by each producer between his coke and coal chemicals in the same ratio as his open-market sales of each group of such products bore to the total production of such group during the 12-month period ended April 30, 1952. This period was selected because it was the most recent normal year of operations. For the purposes of this amendment "sales" are defined as all sales except those which are exempt from the coverage of SR-13, and intra-corporate transactions. This method will, in the opinion of the Director, permit each producer to recover the actual amount of increased costs attributable to these sales and will require absorption of increased costs attributable to the amount of product consumed in other operations of the industry, such as the coke which is produced and consumed by steel companies.

Each producer is permitted by this amendment to adjust individual product ceilings so as to recover the overall amount of allowable increase on his various coke and coal chemical products, subject to the limitation that no one ceiling price may be increased by more than 10 percent.

Since this amendment is intended to provide relief to the by-product coke oven industry, the provisions of section 3 permitting adjustment in ceiling prices are no longer applicable to those producers who take advantage of the relief granted under this amendment.

In the judgment of the Director of the Office of Price Stabilization, the provisions of this amendment are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the National defense effort to

achieve the maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended.

In formulating this amendment the Director has consulted with industry representatives, including trade association representatives, and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 13 to the General Ceiling Price Regulation, as amended, is further amended in the following respects:

1. Section 2 is amended by adding paragraph (j) as follows:

(j) "Gross sales revenue" or "sales" as used in section 10 means the total dollars of revenue derived from the sales of products produced in a by-product coke oven plant, exclusive of revenue obtained from sales which are exempt under the provisions of section 4 and intra-corporate transactions; except that if a by-product coke oven producer wishes to include revenue obtained from a long-term contract in his gross sales revenue figure, he may do so but thereafter the contract will no longer be exempt from the provisions of this supplementary regulation.

2. Section 3 is amended by adding paragraph (e) as follows:

(e) None of the provisions of this section shall be applicable to any by-product coke oven producer who adjusts his ceiling prices under the provisions of section 10 of this Supplementary Regulation.

3. A new section 10 is added as follows:

SEC. 10. Adjustment for by-product coke oven operators. Each producer of by-product oven coke and coal chemicals may adjust the ceiling prices established under the General Ceiling Price Regulation and Supplementary Regulation 13 for the sales (as defined in section 2 (j)) of coke, coke breeze, gas and coal chemicals produced in his by-product coke oven operations by an amount equivalent to 3.75 percent of his gross sales revenue during the 12-month period ended April 30, 1952, plus the amount of increase in his delivered cost of coal occurring after October 1, 1952. The manner in which the adjustments shall be made is as follows:

(a) *Increase in delivered cost of coal.* Each producer shall determine his "coal cost increase". This shall be the difference between (1) his average delivered cost of coal per ton during any period of at least one month after October 1, 1952, and prior to December 31, 1952, and (2) his average delivered cost of coal per ton during the period June through September 1952, multiplied by the tonnage of coal carbonized during the 12-month period ended April 30, 1952.

(b) *How to determine the allowable amount of increase in ceiling prices.* To establish the amount of increase which may be added to his ceiling prices, each producer should assemble the following data and make the computations indicated below:

Data required for the 12-month period ended April 30, 1952:

- (1) Tons of coke "sales".
- (2) Tons of coal chemical "sales" (excluding gas "sales" and converting all products to tons).
- (3) Dollar "sales" for each of the above items (including "sales" of gas in coal chemical "sales").

Computation A. *Coke products*:

- (1) Multiply coke dollar "sales" by 3.75 percent.
- (2) Multiply "coal cost increase" by the percentage of tons of coke "sales" to tons of coal carbonized.
- (3) Add (1) and (2).

The ceiling price of any coke products may be increased by the amounts which, in total, would have increased the coke "sales" (dollars) for the period ended April 30, 1952, by the sum determined in this computation; except that, in no event, may any ceiling price be increased by more than 10 percent.

Computation B. *Coal chemicals*:

- (1) Multiply coal chemical dollar "sales" by 3.75 percent.
- (2) Multiply "coal cost increase" by the percentage of tons of coal chemicals "sales" to tons of coal carbonized.
- (3) Add (1) and (2).

The ceiling prices of any coal chemicals may be increased by amounts which, in total, would have increased the coal chemical "sales" (dollars) for the period ending April 30, 1952, by the sum determined in this computation; except that, in no event, may any ceiling price be increased by more than 10 percent.

Example: Assume that you carbonized 100,000 tons of coal during the 12 months ending April 30, 1952, and of that total 70,000 tons of coke were produced, of which 60,000 tons were sold subject to the provisions of SR 13. The remaining production consisted of various coal chemicals, of which 15,000 tons were sold. You would then have the following data and make the following computations:

1. Computation of coal cost increase.

Data required:

- (a) Cost of coal—current..... \$10.00
- (b) Cost of coal—June–September 1952..... 9.50
- (c) Tons of coal carbonized, 12 months ending April 30, 1952..... 100,000

Computation:

Coal cost increase = (a – b) × c, or, \$50,000

2. Computation of allowable increase in ceiling prices.

Data required for the 12-month period ending April 30, 1952:

- (a) Tons of coke "sales"..... 60,000
- (b) Tons of coal carbonized..... 100,000
- (c) Tons of coal chemical "sales"..... 15,000
- (d) Coke "sales" (dollars)..... \$800,000
- (e) Coal chemical "sales" (dollars)..... \$200,000

Computation A. *Coke*:

- (1) Coke "sales" × 3.75 percent (\$800,000 × 0.0375)..... \$30,000
- plus
- (2) Tons of coke "sales" × coal cost increase.
- Tons of coal carbonized (60,000) × \$50,000..... 30,000
- (100,000)

Subject to the 10 percent limitation, you may increase ceiling prices of coke products so that coke "sales" in the 12-months ending April 30, 1952, would have been increased by this amount.. 60,000

Computation B. *Coal chemicals*. Follow same procedure as for coke,

substituting coal chemical "sales" for coke "sales":

- (1) \$200,000 × 0.0375..... \$7,500
- plus
- (2) $\frac{(15,000)}{(100,000)} \times \$50,000$ 7,500

Subject to the 10 percent limitation, you may increase ceiling prices on coal chemicals so that coal chemicals "sales" in the 12 months ending April 30, 1952, would have been increased by this amount..... 15,000

(c) *Retroactive increases in the ceiling prices of coke products.* To the extent that a producer has availed himself of the adjustable pricing provisions of section 9 of this supplementary regulation, he may increase ceiling prices of his coke products as permitted by this section retroactively to September 29, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 13 to Supplementary Regulation 13 shall become effective November 21, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 21, 1952.

[F. R. Doc. 52-12557; Filed, Nov. 21, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 4 to Supplementary Regulation 95, Revision 1]

GCPR, SR 95—CEILING PRICES FOR PROCESSORS AND DISTRIBUTORS OF FLAXSEED FEED PRODUCTS

DIFFERENTIALS AT CERTAIN BASE POINTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Revision 1 of Supplementary Regulation 95 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation (SR) 95, Revision 1, to the General Ceiling Price Regulation (GCPR) established dollar-and-cent ceiling prices for processors of flaxseed feed products at specified points

AMENDATORY PROVISIONS

Table I of Supplementary Regulation 95, Revision 1, to the General Ceiling Price Regulation is amended to read as follows:

TABLE I

Base points	Oil meal or cake (standard protein content 32 percent)	Sized linseed oil cake, linseed pellets or cubes (standard protein content 32 percent)	Linseed feed (standard protein content 30 percent)	Linseed feed pellets or cubes (standard protein content 30 percent)	Flaxseed screenings oil feed (standard protein content 22 percent)	Flaxseed screenings oil feed pellets or cubes (standard protein content 22 percent)
Minneapolis and Red Wing, Minn.....	\$78.00	\$80.25	\$73.00	\$75.25	\$60.00	\$62.25
Chicago, Ill.....	82.50	84.75	77.50	79.75	64.50	66.75
Cleveland, Ohio.....	85.50	87.75	80.50	82.75	67.50	69.75
Emporia and Fredonia, Kans.....	85.50	87.75	80.50	82.75	67.50	69.75
Buffalo, N. Y.....	85.50	87.75	80.50	82.75	67.50	69.75
New York Harbor area and Philadelphia.....	87.50	89.75	82.50	84.75	69.50	71.75
Texas mill points.....	86.50	88.75	81.50	83.75	68.50	70.75
Los Angeles and Fresno, Calif.....	80.00	82.25	75.00	77.25	62.00	64.25
San Francisco, Calif.....	83.00	85.25	78.00	80.25	65.00	67.25
Conrad and Great Falls, Mont.....	91.00	93.25	86.00	88.25	73.00	75.25

¹ Standard protein content 28 percent up to 34 percent. For 34 percent or greater protein content, add \$2.50 per ton.

of production. A base ceiling price was set for processors located at Minneapolis, the principal producing center. Higher ceiling prices were fixed for the other production points in order to preserve normal price relationships among the various points of production as well as among major consuming markets.

Since SR 95, Rev. 1, was issued the Director has kept these intermarket differentials under continuing study. Additional data have become available in regard to historical price relationships among the various points of production. Based on careful study of these data, the Director has decided that the differentials over the Minneapolis base ceiling are inadequate for several points of production. The Director has determined that, in order to accomplish his objective of preserving normal price relationships, ceiling prices of processors at these producing points should be increased. Accordingly, this amendment increases by \$2.00 per ton the ceiling prices of processors of flaxseed feed products located at Cleveland, Buffalo, New York Harbor area, Philadelphia, Emporia and Fredonia, Kansas. Many of the plants located at these points, although possessing crushing facilities, have discontinued processing flaxseed at the present time. Consequently, it is estimated that the adjustment made by this amendment will apply to less than one-fifth of the total production of flaxseed feed products.

In the formulation of this amendment there has been consultation with industry representatives, to the extent practicable, and consideration has been given to their recommendations. Special circumstances have rendered consultation with trade association representatives impracticable.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective November 26, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 21, 1952.

[F. R. Doc. 52-12556; Filed, Nov. 21, 1952;
12:43 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter B—Wage Stabilization Board [Resolution 112]

RATES FOR MANUAL EMPLOYEES

Pursuant to the Defense Production Act of 1950, (64 Stat. 816, as amended by Pub. Law 96, and Pub. Law 429, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10377 (17 F. R. 6891), and Executive Order 10390 (17 F. R. 7995), General Order No. 16, Economic Stabilization Administrator (17 F. R. 6925), and General Wage Regulation 12 (16 F. R. 6640), the Wage Stabilization Board has passed the following Resolution,

RESOLUTION 112—RATES FOR MANUAL EMPLOYEES

Employers who employ manual employees engaged in erecting, constructing, altering and repairing, remodeling, painting and decorating and maintaining buildings and facilities and who have had an established practice prior to June 24, 1950, of paying such employees the identical rates paid to mechanics and laborers in the same craft in the building and construction industry may without further approval pay the rates preapproved by section 4 of Construction Industry Stabilization Commission Regulation 1.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

VIRGINIA F. MOORE,
Executive Secretary.

[F. R. Doc. 52-12602; Filed, Nov. 24, 1952;
11:37 a. m.]

Subchapter B—Wage Stabilization Board [General Wage Regulation 12, Amdt. 1]

GWR 12—ESTABLISHMENT OF CONSTRUCTION INDUSTRY STABILIZATION COMMISSION

EXTENSION OF CISC JURISDICTION

Pursuant to the Defense Production Act of 1950, (64 Stat. 816, as amended by Pub. Law 96, and Pub. Law 429, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10377 (17 F. R. 6891), and Executive Order 10390 (17 F. R. 7995), and General Order No. 16, Economic Stabilization Administrator (17 F. R. 6925), the Wage Stabilization Board has formulated and recommended to the Economic Stabilization Administrator, for promulgation, and the Ad-

ministrator, concurring in the judgment of the Wage Stabilization Board, hereby promulgates this Amendment 1 to General Wage Regulation 12.

AMENDATORY PROVISIONS

GWR 12 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *Jurisdiction of the Construction Industry Stabilization Commission.* The jurisdiction of the Commission covers the administration of stabilization rules with respect to all wages, salaries or other compensation paid to:

(a) Mechanics and laborers employed directly at the site of the work, except as otherwise provided in paragraph (b) of this section.

(b) Manual employees engaged in the fabrication or repair of materials if: (1) They are employed by an employer in the building and construction industry and some of the employees, in the unit of which they are a part, engage in work at the site; (2) they exercise the same skills as mechanics and laborers in the building and construction industry; and (3) there was a contract or practice in effect in the area on and prior to June 24, 1950, by which their wage rates bore a fixed relationship to the wage rates established for mechanics and laborers in the same craft. Where there is no such fixed relationship and where there are employees who regularly work both at and away from the site of the work, or where there is a unit containing both employees who work at the site of the work and those who do not, the Commission shall not have jurisdiction except upon petition to and delegation by the Board.

(c) Manual employees employed in maintenance work, by an employer in the building and construction industry who performs maintenance work on a contract basis for various plants and facilities.

2. A new section 4 is added to read as follows:

SEC. 4. *Definitions.* (a) "Mechanics and laborers" are employees performing manual labor in connection with a building or construction project, including mechanic's apprentices and working foremen who are not supervisors. The term does not include employees whose work, although connected with building and construction projects is non-manual, such as executive, administrative, technical or clerical employees.

(b) "Building and construction industry" includes all persons engaged in erecting, constructing, altering, remodeling, painting and decorating, or in maintaining on a contract basis for various plants and facilities, installations such as buildings, bridges, highways and the like. Work performed in the building and construction industry includes the transporting of materials and supplies to or from a particular building or construction project by the employees of the contractor performing the construction.

(c) "Site of the work" means the place or places at which the direct labor in-

volved in a building or construction project is performed, and includes temporary installations used in connection with a particular project even though such installation may not be directly on the site of the project. Installations of a permanent or commercial nature used to serve numerous projects are not considered as being on the site of construction.

(d) "Project" means a particular building job or a particular construction job undertaken by an employer in the building and construction industry at a specified location. A project may be classified by the Commission as involving either building, heavy or highway construction, and the approved wage rates for a particular job classification in a particular area may vary depending on the type of construction involved in a project.

(e) "Area" means the geographical area, generally at least a county or metropolitan area, which is the historical basis for collective bargaining for the particular craft and type of construction.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

ROGER L. PUTNAM,
Economic Stabilization Administrator.

Dated: November 20, 1952.

[F. R. Doc. 52-12603; Filed, Nov. 24, 1952;
11:37 a. m.]

[General Wage Regulation 12, Regulation 1,
Amdt. 3]

GWR 12, REG. 1—CONSTRUCTION INDUSTRY STABILIZATION COMMISSION

APPROVAL OF RATES FOR SHOP EMPLOYEES

Pursuant to the Defense Production Act of 1950 (64 Stat. 816, as amended by Pub. Law 96, and Pub. Law 429, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10377 (17 F. R. 6891), and Executive Order 10390 (17 F. R. 7995), General Order No. 16, Economic Stabilization Administrator (17 F. R. 6925), and General Wage Regulation 12 (16 F. R. 6640), Construction Industry Stabilization Commission Regulation No. 1 is hereby amended.

AMENDATORY PROVISIONS

A new paragraph (h) is added to section 4, to read as follows:

(h) The preceding paragraphs (b) through (g) providing that an employer may make the wage and salary payments preapproved by these paragraphs without securing further approval of the Commission or the Board, shall not be applicable to the shop employees covered by section 3 (b) of General Wage Regulation 12, unless the wage rates of such employees, as established by a contract or practice in effect in the area on and prior to June 24, 1950, were the same as those for mechanics and laborers in the same craft, employed directly at the site of the work. Where there has been a differential between the wage rates established for the shop employees and the on-site mechanics and laborers, specific approval of the Commission, in accordance with the filing procedure contained

in section 6 of this Regulation, is required for any adjustment of the wage, salaries or other compensation legally in effect for such employees on November 20, 1952.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Adopted by the Construction Industry Stabilization Commission November 12, 1952.

DUNCAN CAMPBELL,
THOMAS J. KALIS,
Co-Chairmen.

Approved by the Wage Stabilization Board November 7, 1952.

ARCHIBALD COX,
Chairman.

[F. R. Doc. 52-12604; Filed, Nov. 24, 1952;
11:38 a. m.]

[General Wage Regulation 12, Regulation 1,
Amdt. 4]

GWR 12, REG. 1—CONSTRUCTION INDUS-
TRY STABILIZATION COMMISSION

PREMIUM RATES IN EXCESS OF PRE-APPROVED
RATES

Pursuant to the Defense Production Act of 1950 (64 Stat. 816, as amended by Pub. Law 96, and Pub. Law 429, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10377 (17 F. R. 6891), and Executive Order 10390 (17 F. R. 7995), General Order No. 16, Economic Stabilization Administrator (17 F. R. 6925), and General Wage Regulation 12 (16 F. R. 6640), Construction Industry Stabilization Commission Regulation No. 1 is hereby amended.

AMENDATORY PROVISIONS

The text of section 5 is redesignated as paragraph (a), and new paragraphs (b), (c), and (d) are added, to read as follows:

(b) *Premium rate for key employees or especially qualified individuals.* Without securing additional approval from the Board or Commission, a contractor may continue to pay a fixed hourly premium above the pre-approved area rate to individual employees exercising special qualifications or performing special responsibilities not being exercised or performed by other employees generally in his craft classification if, but only if—

(1) The contractor's ordinary business records clearly establish that in the period April 1–July 31, 1950, the contractor was paying the identical individual employee, or one employee that he replaced, the same hourly premium above the area rate then applicable to the job classification to which such employee belongs, and that the contractor has paid such employee, or one employee that he replaced, the same premium above the area rate regularly (i. e., during the entire time that the contractor was anywhere engaged in construction activity) since that date except when prevented by wage stabilization regulations. This provision shall not be construed so as to permit the payment of premium pay to all employees of the contractor in the aforesaid craft classification; such premium pay may be paid only to individual employees possessing the special quali-

cations or having the special responsibilities referred to in this paragraph.

(2) If the contractor desires to pay a premium above the area rate to employees having special qualifications other than as provided in subparagraph (1) of this paragraph, a petition for approval must be filed with the Commission.

(3) The contractor must keep on file for inspection the business records for the period April 1–July 31, 1950, showing the names of all individual employees receiving such premium.

(c) A contractor may continue to pay a piece rate or bonus measured by the quantity of production of an individual employee or group of employees even though the payment of such piece rate or bonus yields compensation in excess of the area rate as defined in section 4 of Regulation 1 of the Construction Industry Stabilization Commission, provided:

(1) The contractor's ordinary business records clearly establish that the contractor was paying the same piece rate or production bonus during the period April–July 1950, and

(2) The contractor has paid the same piece rate or production bonus regularly (i. e., during the entire time that the contractor was anywhere engaged in construction activity) since that date except when prevented by wage stabilization regulations.

No increase in a piece rate or bonus rate may be made without prior approval of the Construction Industry Stabilization Commission.

(d) A contractor may continue to pay a non-production bonus within the meaning of General Wage Regulation 14, vacations with pay or holidays with pay, or a health and welfare plan, provided:

(1) The contractor's ordinary business records clearly establish that the contractor was paying such non-production bonus or such enumerated fringe item during calendar 1950; and

(2) The contractor has paid such compensation regularly (i. e., during the entire time that the contractor was any-

where engaged in construction activity) since then except when prevented by wage stabilization regulations.

No increase in such compensation rate, and no extension of such compensation to classes of employees not so compensated during calendar 1950, may be made without prior approval of the Construction Industry Stabilization Commission.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Adopted by the Construction Industry Stabilization Commission November 12, 1952.

DUNCAN CAMPBELL,
THOMAS J. KALIS,
Co-Chairmen.

Approved by the Wage Stabilization Board November 7, 1952.

ARCHIBALD COX,
Chairman.

[F. R. Doc. 52-12605; Filed, Nov. 24, 1952;
11:38 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Correction to
Schedule A]

[Rent Regulation 2, Correction to
Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

KANSAS

Effective November 5, 1952, that part of Amendment 86 to Schedule A of Rent Regulation 1 and Amendment 84 to Schedule A of Rent Regulation 2 which pertains to Item 121 (Salina Defense-Rental Area) is corrected to read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 20th day of November 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Kansas				
(121) Salina.....	A	Saline.....	Mar. 1, 1951	Jan. 14, 1952

[F. R. Doc. 52-12518; Filed, Nov. 24, 1952; 8:46 a. m.]

[Rent Regulation 1, Amdt. 27 to
Schedule B]

[Rent Regulation 2, Amdt. 27 to
Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

CLARKSBURG DEFENSE-RENTAL AREA

Effective November 24, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 20th day of November 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

1. Item 76 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

76. *Provisions relating to the Clarksburg Defense-Rental Area (Item 355a of Schedule A):*

With respect to housing accommodations in the Clarksburg Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the housing accommodation or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum

rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

2. Item 81 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

81. *Provisions relating to the Clarksburg Defense-Rental Area (Item 355a of Schedule A):*

With respect to housing accommodations in the Clarksburg Defense-Rental Area, section 138 is added to this regulation to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after

June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates are amended to the extent necessary to carry into effect the provisions of this item of Schedule B.

[F. R. Doc. 52-12519; Filed, Nov. 24, 1952; 8.46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR Part 29]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

FOREIGN TAX CREDIT

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth below in tentative form are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791).

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner of
Internal Revenue.

In order to conform Regulations 111 (26 CFR, Part 29) to the provisions of section 302 (relating to the foreign tax credit) of the Excess Profits Tax Act of 1950, approved January 3, 1951, such regulations are hereby amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.131-1 the following:

SEC. 302. FOREIGN TAX CREDIT (EXCESS PROFITS TAX ACT OF 1950, APPROVED JANUARY 3, 1951).

(a) That portion of section 131 (a) of the Internal Revenue Code which precedes para-

graph (1) thereof is hereby amended by inserting after "subchapter E" the following: "and except, with respect to the tax imposed under subchapter D, only to the extent provided in subsection (j)".

(b) Section 131 of such code is hereby amended by adding at the end thereof the following new subsection:

(j) *Tax imposed by Subchapter D.* This section shall be applicable for purposes of the tax imposed by subchapter D, but the tax paid or accrued to any country shall be deemed to be the amount of such tax reduced by the amount of the credit allowed under this section with respect to such tax against the tax imposed by this chapter without regard to subchapter D. The amount of the credit taken under this subsection shall be subject to each of the following conditions:

(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's excess profits net income from sources within such country bears to its entire excess profits net income for the same taxable year; and

(2) The total amount of the credit shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's excess profits net income from sources without the United States bears to its entire excess profits net income for the same taxable year.

PAR. 2. Section 29.131-1, as amended by Treasury Decision 5893, approved April 4, 1952 is further amended by adding at the end of paragraph (e) thereof the following new sentence: "For taxable years ending after June 30, 1950, credit for taxes shall be allowed against the excess profits tax imposed by subchapter D of chapter 1, but only to the extent provided in section 131 (j) and § 29.131-10."

PAR. 3. Section 29.131-4, as amended by Treasury Decision 5812, approved October 6, 1950 is further amended by deleting "income" from the second sentence of paragraph (a) thereof, so that such sentence will read as follows: "The

Commissioner will thereupon redetermine the amount of the tax of such taxpayer for the year or years for which such incorrect credit was granted."

PAR. 4. Section 29.131-8, as amended by Treasury Decision 5855, approved September 13, 1951 is further amended as follows:

(A) By inserting "for purpose of the income tax" in that part of the first sentence of paragraph (a) thereof which reads "is the tentative credit in respect of the taxes paid or accrued to such country or possession.", immediately after "tentative credit", so that such part will read "is the tentative credit for purpose of the income tax in respect of the taxes paid or accrued to such country or possession."

(B) By striking out the period at the end of the paragraph (a) thereof and inserting in lieu thereof "; and, for taxable years ending after June 30, 1950, there must also be excluded, except to the extent provided in section 131 (j) and § 29.131-10, the excess profits tax imposed by subchapter D of chapter 1."

(C) By adding at the end of paragraph (f) thereof, which paragraph precedes example (4) and begins with the words "As to the allowance of credit", the following new sentence: "As to the allowance of credit for such taxes against the excess profits tax imposed by subchapter D of chapter 1, see section 131 (j) and § 29.131-10."

PAR. 5. There is inserted immediately after § 29.131-9 the following new section:

§ 29.131-10 *Credit against excess profits tax imposed by subchapter D.*

(a) For taxable years ending after June 30, 1950, a domestic corporation is allowed a credit against the excess profits tax imposed by subchapter D of chapter 1 for the amount of any income, war profits, and excess profits taxes paid or accrued during the taxable year to any

foreign country or to any possession of the United States. To the extent pertinent, the provisions of section 131 and §§ 29.131-1 through 29.131-9 are applicable for the purpose of claiming credit for taxes under this section, except that for such purpose the amount of income and profits taxes paid or accrued during the taxable year to any foreign country or possession shall be deemed to be the amount of such taxes actually paid or accrued reduced by the amount of such taxes allowed as a credit under section 131 against the tax imposed by chapter 1 without regard to the excess profits tax imposed by subchapter D. See § 29.131-8 as to the amount of such credit allowable and as to the computation of the tax against which such credit may be taken.

(b) The amount of the income and profits taxes paid or accrued (including the taxes which, in accordance with the provisions of section 131 (f), are deemed to have been paid) during the taxable year to each foreign country or possession of the United States, limited under section 131 (j) (1) so as not to exceed that proportion of the excess profits tax which the taxpayer's excess profits net income from sources within such country or possession bears to its entire excess profits net income for the same taxable year, is the tentative credit for the purpose of this section in respect of the taxes paid or accrued to such country or possession. The sum of these tentative credits, limited under section 131 (j) (2) so as not to exceed that proportion of the excess profits tax which the taxpayer's excess profits net income from sources without the United States bears to its entire excess profits net income for the same taxable year, is the amount allowable as a credit against the excess profits tax for income or profits taxes paid or accrued to foreign countries or possessions of the United States. For the determination of the excess profits net income, see §§ 40.433 (a)-1 and 40.433 (a)-2 of this subchapter (Regulations 130). For the determination of the source of such net income, see section 119 and the regulations thereunder.

(c) The application of this section may be illustrated by the following examples involving the calendar year 1951.

Example (1). In this example it is assumed that the taxpayer has no income or loss from any foreign country other than Country X. Accordingly, the limitation under section 131 (j) (2) will not change the credit determined after applying section 131 (j) (1).

(A) Normal tax net income from all sources.....	\$100,000
(B) Total normal tax and surtax (before section 131 credit).....	45,250
(C) Normal tax net income from foreign Country X.....	90,000
(D) Foreign tax paid on Country X income.....	49,500
(E) Limitation on foreign tax under section 131 (b) (1) and (2) to determine section 131 (a) credit allowable against normal tax and surtax: $\frac{\$90,000}{\$100,000} \times \$45,250$	40,725
(F) Foreign tax credit allowable against normal tax and surtax (foreign tax, but not in excess of above limitation of \$40,725).....	40,725

(G) Excess profits net income from all sources.....	\$80,000
(H) Excess profits net income from foreign Country X.....	75,000
(I) Excess profits credit.....	60,000
(J) Excess profits tax (before section 131 credit).....	6,000
(K) Foreign tax paid on Country X income for the purpose of section 131 (j): $\$49,500 - \$40,725$	8,775
(L) Limitation on foreign tax under section 131 (j) (1) and (2) to determine section 131 (j) credit allowable against excess profits tax: $\frac{\$75,000}{\$80,000} \times \$6,000$	5,625
(M) Foreign tax credit allowable against excess profits tax (foreign tax for purpose of section 131 (j), but not in excess of above limitation of \$5,625).....	5,625
(N) Total income and excess profits tax (before section 131 credit): $\$45,250 + \$6,000$	51,250
(O) Total credit under section 131: $\$40,725 + \$5,625$	46,350
(P) Total income and excess profits tax after credit under section 131: $\$51,250 - \$46,350$	4,900

Example (2). The facts are assumed to be the same as those under example (1), except that there is a net loss of \$10,000 allowable to foreign Country Y, which net loss was taken into account in determining the normal tax net income from all sources of \$100,000 (item (A), example (1)) and the excess profits net income from all sources of \$80,000 (item (G), example (1)). The total income and excess profits tax after credit under section 131 is computed as follows:

(A) Tentative foreign tax credit under section 131 (b) (1) allowable against normal tax and surtax (foreign tax paid on Country X income, but not in excess of limitation under section 131 (b) (1)): $\frac{\$90,000}{\$100,000} \times \$45,250$	\$40,725
(B) Limitation on foreign tax under section 131 (b) (2) to determine section 131 (a) credit allowable against normal tax and surtax: $\frac{\$80,000}{\$100,000} \times \$45,250$	36,200
(C) Foreign tax credit allowable against normal tax and surtax (tentative credit under section 131 (b) (1), but not in excess of \$36,200, limitation under section 131 (b) (2)).....	36,200
(D) Foreign tax paid for the purpose of section 131 (j): $\$49,500 - \$36,200$	13,300
(E) Tentative foreign tax credit under section 131 (j) (1) allowable against excess profits tax (foreign tax for purpose of section 131 (j), but not in excess of limitation under section 131 (j) (1)): $\frac{\$75,000}{\$80,000} \times \$6,000$	5,625
(F) Limitation on foreign tax under section 131 (j) (2) to determine section 131 (j) credit allowable against excess profits tax: $\frac{\$65,000}{\$80,000} \times \$6,000$	4,875
(G) Foreign tax credit allowable against excess profits tax (tentative credit under section 131 (j) (1), but not in excess of \$4,875, limitation under section 131 (j) (2)).....	4,875

(H) Total income and excess profits tax (before section 131 credit): $\$45,250 + \$6,000$	\$51,250
(I) Total credit under section 131: $\$36,200 + \$4,875$	41,075
(J) Total income and excess profits tax after credit under section 131: $\$51,250 - \$41,075$	10,175

[F. R. Doc. 52-12528; Filed, Nov. 24, 1952; 8.48 a. m.]

[26 CFR Part 40]

EXCESS PROFITS TAXES; TAXABLE YEARS ENDING AFTER JUNE 30, 1950

COMPUTATION OF INCOME ON ACCRUAL METHOD

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth below in tentative form are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62).

[SEAL]

JUSTIN F. WINKLE,
Acting Commissioner of
Internal Revenue.

Regulations 130 (26 CFR Part 40) are hereby amended by striking from § 40.455-2 (b) thereof the second, third, fourth, and fifth sentences, which read as follows: "The deduction for bad debts under section 23 (k) shall be allowed only with respect to debts which become worthless within the taxable year. No reserve for bad debts arising from installment accounts receivable may be set up for excess profits tax purposes only, and no bad debt deduction shall be allowed for any additions to such a reserve. Only those debts which have become worthless within the taxable year and which are allowed as a deduction in the computation of net income for the purposes of the normal tax and surtax for the taxable year shall be allowed in the determination of the bad debt deduction for excess profits tax purposes under section 455 (a). If a debt reflected in installment accounts receivable was created in a prior taxable year, and if the total amount of the profit represented by such installment accounts receivable is includible in gross income for such year under the accrual method of accounting, the amount of the deduction for the bad debt shall be computed upon the accrual method and shall not be limited to the unrecovered cost of the goods or articles sold in consideration of such debt."; and inserting in lieu thereof the following new sentences: "No reserve for bad debts arising from accounts receivable from installment sales or installment sales obligations may be set up for excess profits tax purposes unless a reserve has been es-

established for income tax purposes. If a debt reflected in installment accounts receivable was created in a prior taxable year, and if the total amount of the profit represented by such installment accounts receivable is includible in gross income for such year under the accrual method of accounting, the amount of the deduction for bad debts, in the case of a taxpayer which bases its deduction for bad debts on the debts which become worthless within the taxable year, shall be computed upon the accrual method and shall not be limited to the unrecovered cost of the goods or articles sold in consideration of such debt. The same principle shall be applicable in determining the amount which may be deducted as a reasonable addition to a reserve for bad debts in the case of a taxpayer properly on the reserve method."

[F. R. Doc. 52-12529; Filed, Nov. 24, 1952; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR Part 151]

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by section 201, paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Sup., sec. 1201, par. 1606), proposes to make the following changes in the regulations governing the recognition of breeds and books of record of purebred animals (9 CFR, Part 151, as amended):

1. Recognize the book of record for Arabian and Thoroughbred horses entitled "Registro-Matricula de Caballos de Pura Sangre", sponsored by the Minister of Agriculture, General Livestock Administration, Madrid, Spain, and the Large Black Section of the book of record of purebred hogs entitled "Herd Book of the National Pig Breeders' Association," sponsored by the National Pig Breeders' Association, London, England.

2. Withdraw recognition of the books of record entitled "Herd Book De La Race Bovine Charolaise", sponsored by the Syndicat Central D'Exportation De La Race Bovine Charolaise, Nevers, France; "Herd-Book de la Race Normande Pure", sponsored by the L'Association du Herd-Book Normand, Caen, France; "Zuchtbuch der Fachschaft für Dobermannpinscher", sponsored by the Fachschaft für Dobermannpinscher, Berlin, Germany; "Registro Genealogico de Caninos", sponsored by the Kennel Club de Chile, Viña Del Mar, Chile; and the "Large Black Pig Society Herd Book", sponsored by the Large Black Pig Society, Middlesex, England.

3. Revise paragraph (a) of § 151.10 (9 CFR and Supp., 151.10 (a), as amended), to read as follows:

§ 151.10 *Recognized breeds and books of record.* * * *

(a) *Breeds and books of record in countries other than Canada.* Books of record of the registry associations listed

below are recognized for the following breeds: *Provided*, That no Dun and Belted Galloway cattle, Criolla or Fjordhest (formerly known as Westland) horse, dog, or cat registered in any of the books named shall be certified under the

act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the particular breed involved, issued by the appropriate association listed below, is submitted for such animal.

CATTLE

Name of breed	Book of record	By whom published
Aberdeen-Angus	Aberdeen-Angus Herd Book	Aberdeen-Angus Cattle Society, Alexander Keith, secretary, 91 Union St., Aberdeen, Scotland.
Africander	Africander Section of the South African Stud Book.	South African Stud Book Association, E. L. Houscham, secretary, 115, St. Andrew St., Bloemfontein, Union of South Africa.
Alderney	Herd Book of the Bailiwick of Guernsey (Alderney Branch).	Royal Alderney Agricultural Society (The Alderney Branch of the Royal Guernsey A. and H. Society), P. D. Sumner, secretary, The Bungalow, Butes, Alderney, Channel Isles.
Ayrshire	Ayrshire Herd Book	Ayrshire Cattle Herd Book Society of Great Britain and Ireland, John Graham, secretary, 1 Racecourse Rd., Ayr., Scotland.
Devon	Davy's Devon Herd Book	Devon Cattle Breeders' Society, Francis James Morle, secretary, Wiveliscombe, Somerset, England.
Dexter	Dexter Herd Book	Dexter Cattle Society, M. F. J. Batting, secretary, 12 Station Rd., Reading, Berkshire, England.
Dun and Belted Galloway	The Dun and Belted Galloway Herd Book.	The Dun & Belted Galloway Cattle Breeders' Association, John Kincaid, secretary, Meadow View, Moss End Farm, Warfield, Berks, England.
Galloway	Galloway Herd Book	Galloway Cattle Society of Great Britain and Ireland, Donald M. McQueen, secretary, 111 High Street, Dumfries, Scotland.
Guernsey	English Guernsey Herd Book.	English Guernsey Cattle Society, Col. T. M. Ker, secretary, 7, Cleveland Row, London, S. W. 1, England.
Do	Herd Book of the Bailiwick of Guernsey (Guernsey Branch).	Royal Guernsey Agricultural and Horticultural Society, Ernest de Garis, secretary, States Arcade Balcony, St. Peter Port, Guernsey Channel Islands.
Hereford	Herd Book of Hereford Cattle	Hereford Herd Book Society, A. P. deNehriga, secretary, 3 Offa St., Hereford, England.
Highland	Highland Herd Book	Highland Cattle Society of Scotland, R. A. Clement, secretary, 118 Queen St., Glasgow, C. 1, Scotland.
Holstein-Friesian	Friesch Rundvee-Stamboek	Vereeniging: "Het Friesch Rundvee-Stamboek," Ir. H. G. A. Leignes Bakhoven, secretary, Zuiderplein 2-4, Leeuwarden, Netherlands.
Do	Nederlandsch Rundvee-Stamboek.	Vereeniging: "Het Nederlandsche Rundvee-Stamboek," Ir. W. de Jong, president, 24 Surinamestraat, The Hague, Netherlands.
Jersey	Jersey Herd Book	Royal Jersey Agricultural and Horticultural Society, H. G. Shepard, secretary, 3 Mulcaster St., St. Helier, Jersey, Channel Islands.
Do	English Jersey Herd Book	English Jersey Cattle Society, Edward Ashby, secretary, 19 Bloomsbury Sq., London, W. C. 1, England.
Kerry	British Kerry Cattle Herd Book.	British Kerry Cattle Society, R. O. Hubl, secretary, The Milestone, Stanmore Hill, Middlesex, England.
Do	Kerry Cattle Herd Book	Royal Dublin Society, Horace H. Poole, Registrar, Ball's Bridge, Dublin, Ireland.
Lincoln Red Shorthorn	Lincoln Red Shorthorn Herd Book.	Lincoln Red Shorthorn Society, W. Dunnaway, secretary, 17, West Parade, Lincoln, England.
Red Danish	Stambog over Køer af Rød Dansk Malkerace. Stambog over Tyre af Rød Dansk Malkerace. Register-Stambog over Kvaeg af Rød Dansk Malkerace.	De Samvirkende Danske Landhøforeninger, A. Wulff Pedersen, secretary, Vindegade 72, Odense, Denmark.
Red Poll	Red Poll Herd Book	Red Poll Cattle Society of Great Britain and Ireland (Inc.), A. C. Burton, secretary, 42, Westgate St., Ipswich, Suffolk, England.
Shorthorn	Coates's Herd Book	Shorthorn Society of Great Britain and Ireland, Arthur Furneaux, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
South Devon	Herd Book of South Devon Cattle.	South Devon Herd Book Society, R. F. Johnson, secretary, 16, Sherborne Rd., Newton Abbot, Devon, England.
Sussex	Sussex Herd Book	Sussex Herd Book Society, A. G. Holland, secretary, 17, Devonshire St., London, W. 1, England.
Welsh	Welsh Black Cattle Herd Book.	Welsh Black Cattle Society, G. Williams Edwards, secretary, 25, Eastgate, Aherystwyth, Card., Wales.

HORSES

Arabian	Arah Horse Stud Book	The Arah Horse Society, Col. R. C. de V. Askin, secretary, 38, Langham St., London, W. 1, England.
Do	Polska Ksiega Stadna Koni Arabskich Czyszej Krwi.	Towarzystwo Hodowli Koni Araskiego, Dr. Edward Skorkowski, secretary, Urzednicza 48, Krakow, Poland.
Do	General Stud Book	Weatherly & Sons, 15 Cavendish Sq., London, W. 1, England.
Do	Stud Book Argentino	Jockey Club, Dr. Agustin Alsina, secretary general, Florida 571, Buenos Aires, Argentina.
Do	Registro-Matricula de Caballos de Pura Sangre.	General Livestock Administration, The Minister of Agriculture, Madrid, Spain.
Do	Stud Book Français Registre des Chevaux de Pur Sang.	Commission du Studbook Français de Pur Sang, Maze Sancier, Inspector General, Chief, Service des Haras, Ministry of Agriculture, 78 rue de Varenne (7), Paris, France.
Do	The Arabian Stud Book (Recognition of this book will be restricted to Arabian horses which originate for importation in Saudi Arabia, or trace to pure Arabian stock of that country.)	The Arabian Horse Club Registry of America, Inc., Frank Watt, secretary, Chicago, Ill.
Belgian	Stud-Book des Chevaux de Trait Belges.	Société Royale "Le Chaval de Trait Belge," Chevalier Hyndrick de Theulegoet, secretary, 60 rue Royale, Brussels, Belgium.
Cleveland Bay	Cleveland Bay Stud Book	Cleveland Bay Horse Society, Oswald Welford, secretary, Roxhy, Staithes, Saltburn, Yorkshire, England.
Clydesdale	Clydesdale Stud-Book	Clydesdale Horse Society of Great Britain & Ireland, Robert Jarvis, secretary, 93 Hope St., Glasgow C. 2, Scotland.
Oriolla	"Registre Definitivo" section of the Stud Book Argentine para la Raza Criolla.	Sociedad Rural Argentina, Enrique C. Frers, president, Florida 460, Buenos Aires, Argentina.
Fjordhest (formerly known as Westland)	Stambok over Fjordhest	Statens Stambokcenter for Hest, W. W. Christie, State Stud-Book Registrar, Munkedamsveien 35 VI, Oslo, Norway.

SHEEP—Continued

Name of breed	Book of record	By whom published
Dorset Horn	Dorset Horn Flock Book	Dorset Horn Sheep Breeders' Association, E. F. B. Lucas, secretary, Bank Chambers, Cornhill, Dorchester, Dorset, England.
Hampshire Down	Hampshire Down Flock Book	Hampshire Down Sheep Breeders' Association, Mrs. W. Carrott, secretary, 38 Endless St., Salisbury, England.
Kent or Romney Marsh	Kent or Romney Marsh Flock Book	Kent or Romney Marsh Sheep-Breeders' Association, O. W. Tudrey, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
Kerry Hill	Kerry Hill Flock Book	Kerry Hill (Wales) Flock Society, Morris, Marshall & Poole, secretaries, Newtown, Montgomeryshire, England.
Leicester	Leicester Flock Book	Leicester Sheep Breeders' Association, P. S. Atkinson, secretary, "Greystones," Carlton, Driffield, England.
Lincoln	Flock Book of Lincoln Longwool Sheep	Lincoln Longwool Sheep Breeders' Association, Fred P. Taylor, secretary, 184 High St., Lincoln, England.
Oxford Down	Oxford Down Flock Book	Oxford Down Sheep Breeders' Association, L. E. Deacon, secretary, 127 Weston Garden Estate, Weston Favell, Northampton, England.
Romney Marsh	The New Zealand Romney Marsh Flock Book	New Zealand Romney Marsh Sheep Breeders' Association, Inc., Richard J. J. Campbell, secretary, 117 Kimbolton Rd., Fording, New Zealand.
Ryeland	Ryeland Flock Book	Ryeland Flock Book Society, Ltd., Glynne Hastings, secretary, 2, St. Nicholas St., Hereford, England.
Shropshire	Shropshire Flock Book	Shropshire Sheep Breeders' Association and Flock Book Society, Alfred Mansell & Co., secretaries, College Hill, Shrewsbury, England.
Southdown	Southdown Flock Book	Southdown Sheep Society (Inc.), R. G. Noakes, secretary, Gresham Chambers, 40 High St., Maidstone, Kent, England.
Suffolk	Suffolk Flock Book	Suffolk Sheep Society, Guy P. Lampriere, secretary, 24 Princes St., Ipswich, England.
Wensleydale	Wensleydale Longwool Sheep Flock Book	The Wensleydale Longwool Sheep Breeders' Association, W. Dickinson, secretary, The Gardens, Ulverston, Lancashire, England.
Various recognized breeds.	New Zealand Flock Book	New Zealand Sheep Breeders' Association, M. E. Lyons, secretary, P. O. Box 206, Christchurch, C. 1, New Zealand.
Do.	Flock Book for British Breeds of Sheep in Australia.	The Australian Society of Breeders of British Sheep, Louis Monod, secretary, Temple Ct., 422 Collins St., Melbourne, C. 1, Australia.
GOATS		
Saanen and Toggenburg	British Goat Society Herd Book (Saanen and Toggenburg sections).	British Goat Society, Miss M. F. Rigg, secretary, Diss, Norfolk, England.
HOGS		
Irish Large White	Herd Book of Irish Large White Pigs.	Royal Dublin Society, Horace H. Poole, Registrar, Ball's Bridge, Dublin, Ireland.
Berkshire	Herd Book of the National Pig Breeders' Association.	National Pig Breeders' Association, R. F. Johnson, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
Gloucestershire		
Old Spots		
Large Black		
Large White		
Middle White	Herd Book of the National Pig Breeders' Association.	National Pig Breeders' Association, R. F. Johnson, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
Tamworth		
Wessex Saddleback		
DOGS		
Boxer	Boxer-Zuchthuch.	Boxer-Klub e. V. Sitz München, Heinrich Zimmermann, president, (16) Frankfort am Main-Notendrad, Buchenrodsstrasse 21, Germany.
Foxhound	Foxhound Kennel Stud Book.	Masters of Foxhounds Association, J. W. Fitzwilliam, secretary, 51, Victoria St., London, S. W. 1, England.
Do.	Welsh Hound Stud Book.	Welsh Hound Association, Islwyn E. E. Davies, secretary, "Gwynnryn," 18 Stuart St., Aberdare, South Wales.
German Shepherd	Reichs-Zuchtbuch (Abteilung; Deutsche Schäferhunde).	Verein für deutsche Schäferhunde (SV), Hanns Kromhelfer, secretary, Hauptgeschäftsstelle (13h), Augsburg 3, Germany.
Great Dane	Stammnuch für Deutsche Doggen.	Deutscher Doggen Club, Richard Stadt, president, (13h), München 28, Treffarthstrasse 5, Germany.
Greyhound	Australian Greyhound Stud Book.	The Australian and New Zealand Greyhound Association, R. Malmament, secretary, first floor, Bank of New Zealand Chambers, 349 Collins St., Melbourne, C. 1, Australia.

HORSES—Continued

Name of breed	Book of record	By whom published
Hackney	Hackney Stud Book.	Hackney Horse Society, Robert F. Ling, secretary, 38, Langham St., London, W. 1, England.
Percheron	British Percheron Stud Book.	British Percheron Horse Society, H. Gordon Smith, secretary, "Haslemere," Fulbourn, Cambs, England.
Do.	Stud-Book Percheron de France.	Société Hippique Percheronne de France, M. Lomarié, secretary, 7 Rue Vilette-Gaté, Nogent-le-Hotrou (H & L), France.
Shetland Pony	Shetland Pony Stud-Book.	Shetland Pony Stud-Book Society, Walker & Duncan, secretaries, 3 Golden Sq., Aberdeen, Scotland.
Shire	Shire Horse Stud Book.	Shire Horse Society, A. G. Holland, secretary, 17 Devonshire St., London, W. 1, England.
Suffolk	Suffolk Stud-Book.	Suffolk Horse Society, Raymond Keer, secretary, 6 Church St., Woodbridge, Suffolk, England.
Thoroughbred	Australian Stud Book.	Australian Jockey Club and Victoria Racing Club, W. J. McPadden, Keeper of the Stud Book, 6 Bligh St., Sydney, N. S. W., Australia.
Do.	General Stud Book.	Weatherly & Sons, 15 Cavendish Sq., London, W. 1, England.
Do.	Jamaica Stud Book.	The Jockey Club of Jamaica, Sir George Seymour Seymour, secretary, 10 Duke St., Kingston, Jamaica, B. W. I.
Do.	Stud Book de Chile.	Club Hipico de Santiago, Alejandro Holensky Dadian, secretary, San Antonio 231, Santiago, Chile.
Do.	New Zealand Stud Book.	New Zealand Racing Conference, A. M. McBeath, secretary, Dominion Bldg., Mercer and Wakefield Sts., Wellington, New Zealand.
Do.	Registro-Matricula de Cahallos de Pura Sangre.	General Livestock Administration, the Minister of Agriculture, Madrid, Spain.
Do.	Stud Book Argentino.	Jockey Club, Dr. Agustín Alsina, secretary general, Florida 571, Buenos Aires, Argentina.
Do.	Stud Book Français des Chevaux de Pur Sang.	Commission du Studbook Français de Pur Sang, Maze Sencier, inspector general, chef, Service des Haras, Ministry of Agriculture, 78 rue de Varenne (7), Paris, France.
Do.	Libro Genealogico del Cavalli di Puro Sangue.	Jockey Club Italiano, Comm. Gino Cavaniglia, secretary, Piazza Montecitorio 121, Rome, Italy.
Do.	Registre des Chevaux de Pur Sang.	Jockey-Club de Belgique, J. Leynon, secretary, 1 rue Guimard, Brussels, Belgium.
Do.	Stud Book Brasileiro.	Jockey Club Brasileiro, Ricardo Xavier da Silveira, Director, Av. Rio Branco, 197, Rio de Janeiro, Brazil.
Do.	Stud Book Peruano.	Jockey Club of Peru, Sr. Pedro Garcia Miro, president, Camana 780, Lima, Peru.
Do.	American Stud Book (Recognition of this book will be restricted to Thoroughbreds, imported as follows: (a) Horses bred or born in the United States, and returned to a foreign country, and returned to this country; (b) horses bred or born in Great Britain, Northern Ireland, Eire, or France, whose pedigrees trace wholly, or in part, to horses bred or born in the United States; or (c) horses from countries where a book of purebred registration for Thoroughbreds does not exist.) Welsh Stud Book.	The Jockey Club, J. E. Davis, secretary, New York, N. Y.
Welsh Pony and Cob.		Welsh Pony and Cob Society, J. A. George, secretary, Offices of The Royal Welsh Agricultural Society, Queen's Rd., Aberystwyth, Wales, Great Britain.
ASSES		
Poitou	Jack and Jennet Section of the Stud Book ou Livre Genealogique des animaux Mulassiers du Poitou.	Société Centrale d'Agriculture des Deux-Sèvres, Eugene Sagot, president, Niort, France.
SHEEP		
Border Leicester	Border Leicester Flock Book.	Society of Border Leicester Sheep Breeders, Miss Rose J. E. Grant, secretary, 11 St. Roman's Terr., Edinburgh 10, Scotland.
Cheviot	Cheviot Sheep Flock Book.	Cheviot Sheep Society, Guy H. Armstrong, secretary, Commercial Bank Bldgs., Hawick, Scotland.
Corriedale	The Flock Book for Corriedale Sheep in Australia.	The Australian Corriedale Association, Louis Monod, secretary, Temple Ct., 422 Collins St., Melbourne, C. 1, Australia.
Do.	Corriedale Flock Book (New Zealand).	The Corriedale Sheep Society, Inc., C. H. Lawrence, secretary, 154 Horford St., Christchurch, New Zealand.

Dogs—Continued

Name of breed	Book of record	By whom published
Greyhound.....	Greyhound Stud Book.....	National Coursing Club, Sydney H. Dalton, secretary, 11 Haymarket, London, S. W. 1, England.
Do.....	Irish Greyhound Stud Book..	Irish Coursing Club, T. A. Morris and A. J. Morris, secretaries, Davis Rd., Clonmel, Ireland.
Harrier and Beagle..	Harrier and Beagle Stud Book..	Association of Masters of Harriers and Beagles, J. Pawl, secretary, Little Havers, Bishop's Stortford, England.
Rottweiler.....	Reichs-Zuchtbuch (Abteilung, Rottweiler).	Allgemeiner Deutscher Rottweiler-Klub, Frl. Josefine Zeller, secretary, Schwäbisch Gmünd/Württemberg, Germany, U. S. Zone.
St. Bernard.....	Bernhardiner-Zuchtbuch.....	St. Bernhards-Klub, Franz Hrachowins, studbook keeper, München 12, Bergmannstrasse 35, Germany.
Various recognized breeds.	Irish Kennel Club Stud Book..	Irish Kennel Club, Maud C. Fox, secretary, 23 Eden Quay, Dublin C. 8, Ireland.
Do.....	Kennel Club Studbook.....	English Kennel Club, E. Holland Buckley, secretary, 84 Piccadilly, London, W. 1, England.
Do.....	Livre des Origines de la Société Royale Saint-Hubert.	Société Royale Saint-Hubert, R. Willocq, secretary, Chaussee Saint-Pierre, 391 Brussels 4, Belgium.
Do.....	Norsk Kennelklube Stamhok.	Norsk Kennel Klub, E. F. Gjersøe, Jr., secretary, Skippergaten 22, Oslo, Norway.
Do.....	Reichs-Zuchtbuch Abteilung: Fachschaft für Terrier e. V.	Klub für Terrier, Günter Ruppert, secretary, (16) Kelsterbach bei Frankfurt am Main, Germany.
Do.....	Schweizerisches Hunde-Stammbuch.	Schweizerische Kynologische Gesellschaft, Carl Wittwer, secretary, Seestrasse 64, Kilchberg/Zurich, Switzerland.
Do.....	Svenska Kennelklubbens Stambook.	Svenska Kennelklubben, Ivan Swedrup, secretary, Linnegatan 25, Stockholm, Sweden.

CATS

Long-haired and short-haired.	Register of the Governing Council of the Cat Fancy.	The Governing Council of the Cat Fancy, W. A. Hazeldine, secretary, 1, Roundwood Way, Banstead, Surrey, England.
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4. Amend that portion of subparagraph (1) of paragraph (b) of § 151.10, as amended (9 CFR and Supp. 151.10 (b) (1), as amended), immediately preceding the list of breeds in said subparagraph (1) to read as follows:

(b) *Breeds and books of record in Canada*—(1) *Animals generally*. The books of record of the Canadian National Live Stock Records, Ottawa, Canada, of which R. G. T. Hitchman is Director, are recognized for the following breeds: *Provided*, That no animals registered in the Canadian National Live Stock Records shall be certified under the act as purebred unless such animals trace only to animals which are proved to the satisfaction of the Bureau to be of the same breed: *Provided further*, That no Karakul sheep, Alpine goat, Nubian goat, or horse of the American Saddle, Canadian, or Arabian breeds in Canada shall be certified under the act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the particular breed involved, issued by the Canadian National Live Stock Records, is submitted for such animal.

The proposed revision of 9 CFR 151.10 (a) includes the substance of all prior amendments thereto. It also adds to the subdivision relating to horses the book of record entitled "Registro-Matricula de Caballos de Pura Sangre"; removes the books of record entitled "Herd Book Da La Race Bovine Charolaise" and "Herd-Book de la Race Normande Pure" from the subdivision relating to cattle, and the books of record entitled "Zuchtbuch der Fachschaft für Dobermannpinscher" and "Registro Genealogico de Caninos" from the subdivision relating to dogs; changes the name of the recognized breed of horses registered in the book of record entitled "Stambok over Fjordhest"; and incorporates certain corrections in the

names, custodianship, and addresses of the associations sponsoring or publishing books of record listed therein. It is proposed to withdraw recognition of the four books of record named above because the sponsoring organizations have not furnished their records in reasonably current form as required by § 151.10. The proposed revision further removes the book of record entitled "Large Black Pig Society Herd Book" from the subdivision relating to hogs, and adds the Large Black breed of hogs to the list of breeds in the book of record entitled "Herd Book of the National Pig Breeders' Association" which are currently recognized by the Secretary of Agriculture. The "Large Black Pig Society Herd Book" no longer exists. The purebred registrations for Large Black hogs contained in this herd book have been taken over by the "Herd Book of the National Pig Breeders' Association".

The proposed amendment of subparagraph (1) of paragraph (b) of § 151.10 would require that no Nubian goat shall be certified under the act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the Nubian breed is submitted for such animal.

Any person who wishes to submit written data, views, or arguments concerning the foregoing proposed action may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 19th day of November 1952.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-12514; Filed, Nov. 24, 1952; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 43]

PILOT AND MEDICAL CERTIFICATE REQUIREMENTS FOR COPILOTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau has under consideration proposed amendments to Part 43 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by December 23, 1952. Copies of such communications will be available after December 26, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

At present §§ 43.40, 43.41, and 43.42 prescribe that a person shall not pilot an airplane unless he has in his personal possession pilot and medical certificates and is unaware of any physical deficiency which would render him unable to meet the requirements for issuance of his medical certificate. Since "to pilot" is defined in § 43.70 (b) as meaning to be in command of the aircraft during take-off, in flight, or landing, a person could serve as copilot in operations requiring two pilots without complying with §§ 43.40, 43.41, and 43.42. In order to correct this undesirable possibility, it is considered necessary to amend these sections to include copilots.

Accordingly, it is proposed to amend Part 43 of the Civil Air Regulations as follows:

1. By amending the first sentence of § 43.40 to read as follows:

§ 43.40 *Pilot certificate*. A person shall not serve as pilot in command or copilot of civil aircraft within the United States unless he has in his personal possession at all times while so serving a valid pilot certificate with appropriate ratings issued by the Administrator, or an appropriate and valid foreign pilot certificate and ratings. * * *

2. By amending the first sentence of § 43.41 to read as follows:

§ 43.41 *Medical certificate and renewal*. A person shall not serve as pilot in command or copilot of an aircraft under authority of a pilot certificate issued by the Administrator, unless he has in his personal possession at all times while so serving a medical certificate or other evidence satisfactory to the Ad-

ministrator showing that he has met the physical requirements appropriate to his rating within the following time limits: * * *

3. By deleting from § 43.42 the phrase "A person shall not pilot any" and inserting in lieu thereof the phrase "A person shall not serve as pilot in command or copilot of an".

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposals may be changed in the light of

comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-560)

Dated November 18, 1952, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-12531; Filed, Nov. 24, 1952;
8:49 a. m.]

the intermediate point, Prescott, Ariz., on its route No. 105.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on December 9, 1952, at 10:00 a. m., e. s. t. in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., November 20, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-12530; Filed, Nov. 24, 1952;
8:48 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order 150-19]

BUREAU OF INTERNAL REVENUE REORGANIZATION

ABOLITION AND ESTABLISHMENT OF CERTAIN OFFICES

Bureau of Internal Revenue reorganization. Abolition of offices of Collectors and Deputy Collectors of Arizona, Colorado, New Mexico, Utah, and Wyoming Collection Districts; establishment of offices of District Commissioner and Directors of Internal Revenue.

By virtue of the authority vested in me as Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and Reorganization Plan No. 1 of 1952:

1. *Abolition of existing offices.* The abolition of the offices of Collector of Internal Revenue and Deputy Collector for the Arizona, Colorado, New Mexico, Utah, and Wyoming Collection Districts shall become effective as of 12 o'clock midnight, November 24, 1952.

2. *Establishment of District Commissioner.* Effective as of 12:01 a. m., November 25, 1952, there is hereby established an office of District Commissioner of Internal Revenue, which shall be known as the Denver District, and which shall be comprised of the States of Arizona, Colorado, New Mexico, Utah, and Wyoming.

3. *Location of headquarters.* The headquarters office shall be located in the City of Denver, Colorado.

4. *Establishment of offices of Director of Internal Revenue.* Effective as of 12:01 a. m., November 25, 1952, there are hereby created the following offices within the Denver District:

(a) Director of Internal Revenue for the Collection District of Arizona (as presently constituted). The headquarters of such office shall be located in Phoenix, Arizona, and the office shall have the operating title of Director of Internal Revenue, Phoenix.

(b) Director of Internal Revenue for the Collection District of Colorado (as presently constituted). The headquarters of such office shall be located in Denver, Colorado, and the office shall have the operating title of Director of Internal Revenue, Denver.

(c) Director of Internal Revenue for the Collection District of New Mexico (as

presently constituted). The headquarters of such office shall be located in Albuquerque, New Mexico, and the office shall have the operating title of Director of Internal Revenue, Albuquerque.

(d) Director of Internal Revenue for the Collection District of Utah (as presently constituted). The headquarters of such office shall be located in Salt Lake City, Utah, and the office shall have the operating title of Director of Internal Revenue, Salt Lake City.

(e) Director of Internal Revenue for the Collection District of Wyoming (as presently constituted). The headquarters of such office shall be located in Cheyenne, Wyoming, and the office shall have the operating title of Director of Internal Revenue, Cheyenne.

Dated: November 21, 1952.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-12588; Filed, Nov. 24, 1952;
9:29 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4522 et al.]

FRONTIER AIRLINES, INC., ET AL.; ROUTE 93
RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Frontier Airlines, Inc., under Docket No. 4522, for renewal of its authority to serve Route 93 for a period of five years, the extension of its route to Fort Huachuca, Ariz.; and under Docket No. 4611 for a certificate amendment authorizing nonstop service between Douglas, Ariz., and El Paso, Tex.; the application of Bonanza Air Lines, Inc., under Docket No. 4471 to extend its route No. 105 to all points presently certificated on Route 93; the application of Trans World Airlines, Inc., under Docket No. 5210, for a certificate amendment to eliminate the intermediate point Winslow, Ariz., therefrom; the investigation instituted by the Board on petition of American Airlines, Inc., under Docket No. 5394, to determine whether said airline should be authorized to suspend service temporarily at Douglas, Ariz.; and the petition of Frontier Airlines, Inc., under Docket No. 5207, to suspend the authority of Trans World Airlines, Inc., to serve Winslow, Ariz., on its route No. 2, and the authority of Bonanza Air Lines, Inc., to serve

FEDERAL POWER COMMISSION

[Docket No. G-1447]

UNITED GAS PIPE LINE CO.

ORDER REOPENING PROCEEDINGS AND FIXING
DATE OF HEARING

NOVEMBER 18, 1952.

On August 21, 1952, United Gas Pipe Line Company (Applicant), a Delaware Corporation having its principal place of business at Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the transportation and sale of natural gas on a temporary basis during an interim period to Texas Gas Transmission Corporation pending completion of certain facilities by the latter, as more fully described in said application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

Due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 12, 1952 (17 F. R. 8221), has been given.

An "Answer" to the application was filed on September 29, 1952, by the National Coal Association, the United Mine Workers of America, the Fuels Research Council, Inc., the Anthracite Institute, the Railway Labor Executives Association and the Chesapeake and Ohio Railway Company. This "Answer" is addressed to the acceptance for filing of said application.

The Commission finds:

(1) The proceedings at Docket No. G-1447 should be reopened for the sole purpose of effecting such amendment of the Commission's order, issued February 27, 1951, granting a certificate of public convenience and necessity to Applicant, as may be required in disposing of the foregoing application of August 21, 1952.

(2) For good cause, the date fixed for hearing is less than 15 days required by § 1.20 of the Commission's rules of practice and procedure.

The Commission orders:

(A) The proceedings at Docket No. G-1447 be and the same are hereby reopened for the sole purpose of effecting such amendment to the Commission's order, issued February 27, 1951, grant-

ing a certificate of public convenience and necessity to Applicant, as may be required in disposing of the foregoing application of August 21, 1952.

(B) Pursuant to the authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held commencing on November 26, 1952, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by said application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: November 19, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-12510; Filed, Nov. 24, 1952;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-597]

KEZAR FALLS WOOLEN CO.

ORDER GRANTING EXEMPTION

NOVEMBER 19, 1952.

Kezar Falls Woolen Company ("Kezar Falls"), having filed an application with this Commission pursuant to section 3 (a) (3) (A) of the Public Utility Holding Company Act of 1935 ("act") requesting exemption from the provisions of the act on behalf of itself and its subsidiaries, Cornish and Kezar Falls Light & Power Company, a public-utility company, and Kezar Falls Water Company, a non-utility company; and

Due notice of the filing of said application having been given and a hearing thereon not having been requested of, or ordered by, the Commission; and

The Commission having examined the application and the statements contained therein and having found that Kezar Falls is only incidentally a holding company, being primarily engaged in a business other than that of a public-utility company and not deriving, directly or indirectly, any material part of its income from one or more companies the principal business of which is that of a public-utility company; and further finding that the granting of an exemption to Kezar Falls as a holding company and to its subsidiaries as such will not be detrimental to the public interest or the interests of investors or consumers;

It is ordered, Pursuant to section 3 (a) (3) (A) of the act and subject to the provisions of section 3 (c) thereof, that Kezar Falls as a holding company and its subsidiaries as such be, and the same

hereby are, exempted from all provisions of the act, said companies remaining subject, however, to any obligation imposed upon them in any capacity other than as a holding company or as subsidiaries of a holding company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-12513; Filed, Nov. 24, 1952;
8:46 a. m.]

[File No. 70-2937]

PHILADELPHIA CO. AND DUQUESNE LIGHT
Co.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF BIDDING IN SALE BY PARENT OF SUBSIDIARY'S COMMON STOCK AND BY SUBSIDIARY OF ITS COMMON STOCK AND OVER CERTAIN FEES AND EXPENSES

NOVEMBER 19, 1952.

Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and Duquesne Light Company ("Duquesne"), a public utility subsidiary of Philadelphia, having filed a joint application-declaration and amendments thereto pursuant to sections 6, 7, 12 (d) and 12 (f) of the act and Rules U-44 and U-50 thereunder with respect to the sale by Philadelphia of 170,000 shares of common stock of Duquesne and the issuance and sale by Duquesne of 80,000 shares of its own common stock; and

The Commission having, by order dated November 12, 1952, granted and permitted to become effective said joint application-declaration, as amended, except that the proposed sale of the Duquesne common stock by Philadelphia and the proposed issuance and sale of its common stock by Duquesne were not to be consummated until the results of competitive bidding, pursuant to Rule U-50, were made a matter of record in this proceeding and a further order issued, for which purpose jurisdiction was reserved; and

Jurisdiction also having been reserved in said order of November 12, 1952, with respect to all fees and expenses incurred in connection with the proposed transactions; and

Philadelphia and Duquesne having filed a further amendment to the joint application-declaration in which it is stated that, in accordance with the permission granted by the said order of the Commission dated November 12, 1952, they offered such common stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidding group headed by:	Price per share to companies
Kidder, Peabody & Co. and White, Weld & Co.	\$29.2204
Blyth & Co., Inc., and Merrill Lynch, Pierce, Fenner & Beane	29.11
Kuhn, Loeb & Co. and Smith, Barney & Co.	28.929
Carl M. Loeb Rhoades & Co. and Wertheim & Co.	28.8275
Stone & Webster Securities Corp.	28.81

Philadelphia and Duquesne having stated that they have accepted the bid of Kidder, Peabody & Co. and White, Weld & Co., as set forth above, and that the purchasers propose to offer said shares to the public at \$29.75 per share, resulting in an underwriters' spread of \$.5296 per share aggregating \$132,400; and

The Commission having examined said amendment and having considered the record herein and finding no reason for imposing any terms or conditions with respect to the price to be received by Philadelphia and Duquesne for the stock, the underwriters' spread, or otherwise, and it appearing appropriate to the Commission that the jurisdiction heretofore reserved over the results of competitive bidding with respect to the sale of Duquesne's common stock by Philadelphia and the issuance and sale of its common stock by Duquesne be released; and

The record having been completed with respect to certain fees and expenses and the Commission deeming it appropriate to release jurisdiction as to such fees and expenses provided such fees and expenses, paid or to be paid, as to which jurisdiction is being released, do not exceed the amounts stated below:

It is ordered, That the joint application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith, and that the jurisdiction heretofore reserved over the results of competitive bidding with respect to the sale of Duquesne's common stock by Philadelphia and the issuance and sale of its common stock by Duquesne be, and the same hereby is, released subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and hereby is, released with respect to the following fees and expenses, provided they do not exceed the amounts herein stated:

	Duquesne	Philadelphia	Total
Securities and Exchange Commission filing fee.....	\$280	\$595	\$875
Federal issue tax.....	880		880
Federal transfer tax.....		1,020	1,020
State transfer tax.....		340	340
Pennsylvania stock bonus.....	1,600		1,600
Printing.....	3,840	8,160	12,000
Engraving.....	2,500		2,500
Transfer agent and registrar fees.....	600		600
Qualifying under securities laws of various States.....	800	1,700	2,500
Listing on various stock exchanges.....	800	1,700	2,500
Miscellaneous expenses.....	940	1,145	2,085
Total.....	12,240	14,660	26,900

It is further ordered, That jurisdiction, heretofore reserved, over fees and expenses for accounting and legal services in connection with the proposed transactions be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-12512; Filed, Nov. 24, 1952;
8:46 a. m.]

[File No. 812-806]

MASSACHUSETTS INVESTORS TRUST

NOTICE OF APPLICATION

NOVEMBER 19, 1952.

Notice is hereby given that Massachusetts Investors Trust (hereinafter called "MIT"), a strict trust organized in Massachusetts and an open-end, diversified management investment company registered under the Investment Company Act of 1940, whose address is 200 Berkeley Street, Boston 16, Massachusetts, has filed an application under Rule N-17D-1 of the rules and regulations under the act, promulgated pursuant to section 17 (d) of the act, with respect to a proposed Pension Plan and a proposed Profit-Sharing Plan for employees of MIT.

The Pension Plan provides for pensions and life insurance benefits to be funded by the purchase of level annual premium insurance company individual contracts purchased by the Pension Trustee. The rate of annual pensions at normal retirement age will be computed on the basis of the employee's aggregate basic compensation in excess of \$3,600 in each year during the period of his coverage (including past years in which he would have been covered if the Plan had been in effect), but shall not be less than \$120 a year. Provision is made for death benefits upon death of the employee prior to retirement.

The Profit-Sharing Plan provides for quarterly contributions for the account of each employee equal to 15 percent of his basic compensation (including bonuses) provided that the aggregate of contributions for all employees in any quarter shall not exceed $\frac{3}{4}$ of 1 percent of the net income of MIT (excluding capital gains or losses and as reported to shareholders before deductions of Profit Sharing Plan contributions for that quarter). Contributions will be invested in United States Government obligations except that any employee may elect in any quarter to invest all or one-half of his contribution in shares of MIT. Provision is made for conversion of accounts into cash upon or after retirement at the election of an employee and distributions are made in cash at retirement or severance over a ten-year period. Upon death an employee's account will be distributed to his beneficiary or beneficiaries in cash in a lump sum or as he may direct subject to the approval of the Retirement Committee.

Under both plans MIT will make all the contributions and bear the administrative expenses, except that under the Pension Plan an employee bears any extra life insurance premium caused by the fact that he is a substandard risk. At the present time nine employees of MIT are eligible to participate in the Pension Plan and twenty-three employees are eligible to participate in the Profit-Sharing Plan. If the Profit-Sharing Plan had been in effect for the entire year 1952, the contributions of MIT to the Plan would be \$27,938, assuming no change in compensation of members. The first year premium costs of the Pension Plan to MIT will be \$15,443.49, as-

suming all employees to be insurable. The costs of contributions to, and administration of, the Plans will be an additional operating expense of MIT.

The amended application states that the Plans have been approved by the Trustees for adoption in order to increase the stability of MIT's personnel which is composed at the analytical and professional level of highly trained specialists who are not easily replaceable and for whom MIT must compete with organizations offering deferred compensation plans, and that to the extent that shares of MIT are purchased by the Profit-Sharing Plan, the Plan itself acts as an incentive to employees to better the performance of MIT with respect both to capital appreciation and income.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the office of the Commission in Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after December 5, 1952, unless prior thereto a hearing upon the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than December 3, 1952, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request in writing that the Commission order a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 52-12511; Filed, Nov. 24, 1952;
8:45 a. m.]INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 27554]

BRICK FROM ALBUQUERQUE, N. MEX., TO
POINTS IN SOUTHWEST AND MIDWEST

APPLICATION FOR RELIEF

NOVEMBER 20, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Brick and related articles, carloads.

From: Albuquerque, N. Mex.

To: Points in southwestern territory, including Kansas, southern Missouri,

Kansas City, Mo., and Mississippi River crossings.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3586, Supp. 128.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

GEORGE W. LAIRD,
Acting Secretary.[F. R. Doc. 52-12520; Filed, Nov. 24, 1952;
8:47 a. m.]

[4th Sec. Application 27555]

ETHYLENE GLYCOL FROM DOE RUN, KY.,
TO BALTIMORE, MD.

APPLICATION FOR RELIEF

NOVEMBER 20, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Baltimore and Ohio Railroad Company and other carriers.

Commodities involved: Ethylene glycol, in tank-car loads.

From: Doe Run, Ky.

To: Baltimore, Md.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12521; Filed, Nov. 24, 1952;
8:47 a. m.]

[4th Sec. Application 27556]

BANANAS AND COCOANUTS FROM CERTAIN
POINTS IN TEXAS, TO AMARILLO AND
SHAMROCK, TEX.

APPLICATION FOR RELIEF

NOVEMBER 20, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Lee Douglass, Agent, for carriers parties to his tariff I. C. C. No. 748.

Commodities involved: Bananas and coconuts, carloads.

From: Brownsville, Galveston, Houston, Laredo, and Texas City, Tex.

To: Amarillo and Shamrock, Tex.

Grounds for relief: Competition with rail carriers, circuitous routes, and competition with motor carriers.

Schedules filed containing proposed rates: Lee Douglass, Agent, I. C. C. No. 748, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12522; Filed, Nov. 24, 1952;
8:47 a. m.]

[No. 31104; No. MC-C-1431 and First Supplemental Order]

CANNED GOODS IN OFFICIAL TERRITORY
REASSIGNING TIME FOR HEARINGS AND PRE-
SCRIBING SPECIAL RULES DIRECTING INTER-
CHANGE OF PREPARED MATERIAL

In the matters of (1) reassigning the time for hearings, and (2) prescribing special rules directing interchange of prepared material prior to hearing.

It appearing, that a substantial number of motor carriers are being made respondents in No. MC-C-1431, and that

these respondents would have insufficient notice of this proceeding adequately to prepare for hearing therein as now assigned:

It is ordered, That the hearings now scheduled at Washington, D. C., on December 2, 1952, in the above-entitled proceedings, be, and they are hereby, reassigned for hearing at the offices of the Interstate Commerce Commission, Washington, D. C., at 9:30 o'clock a. m., e. s. t., on January 26, 1953, before Examiner Oren G. Barber;

It is further ordered, That the following special rules shall be applicable herein:

1. *Prepared statement interchange before hearing.* The parties shall prepare in writing all evidence in chief of their witnesses and serve upon all other parties copies thereof together with any exhibits they intend to offer in evidence, such testimony and exhibits to be served by all parties on or before December 22, 1952. The filing and service of all testimony and exhibits in rebuttal of such direct evidence shall be made on or before January 12, 1953. A copy of all testimony and exhibits shall also be mailed to the examiner.

2. *Participation limited.* Any person not a respondent who desires to submit evidence herein shall, not later than seven days prior to the due date herein provided for submission of evidence (December 22 or January 12, as the case may be), file a petition for leave to intervene; and the subsequent reception of evidence, except as good cause therefor shall otherwise be shown at the hearing, will be limited to respondents and to those who by order shall have been permitted to intervene as herein provided.

3. *Notification of desire to be served with testimony and exhibits.* Any respondent or other party desiring to be served with exhibits and testimony as hereinbefore provided must notify the Acting Secretary of the Interstate Commerce Commission on or before December 8, 1952, of such desire. Thereafter, a list of parties will be compiled, and a copy thereof served upon all parties.

4. *General specifications.* Prepared statements shall conform to Rule 15 of the general rules of practice in respect to style, mimeographing or printing, etc. Evidence offered should be prepared carefully with conciseness and clarity and so as to avoid extraneous, immaterial, and irrelevant matter, and undue cumulation of testimony upon any point. The statements should be factual in character, and argument not be incorporated in the testimony. If not so limited the prepared statement may be excluded in whole or in part. Also the Commission on its own motion or on objection may exclude a statement or any portion thereof which is (a) not material or relevant to the questions presented in the proceeding, or (b) obviously incompetent.

5. *Verification; relief from cross examination and personal appearance.* There is no requirement that a prepared statement shall have an affidavit attached, but this does not preclude attaching an affidavit to the prepared statement. If that is done the following, or its equivalent, should appear on

the top of the first sheet of the statement:

This statement is verified. Unless written request for cross examination is received by affiant or his attorney not later than January 15, 1953, affiant desires that the statement be considered for incorporation in the record without his personal appearance as a witness.

A witness making such a request and thereafter receiving a demand for cross examination must personally report at the hearing, or his verified statement may not be received. If a demand for cross examination is not made, the privilege of cross examination will be deemed to be waived if the statement is verified and the witness making the statement has requested to be relieved from personal appearance as above provided. It will be presumed that a witness preparing an unsworn statement intends personally to appear at the hearing for cross examination and to be sworn at that time. An unsworn statement may not be admitted.

6. *Oral evidence limited.* Implementing oral evidence to correct errors or to supply inadvertent omissions in prepared statements is permissible, but evidence in chief not previously interchanged in writing as herein provided may not be admitted except as good cause therefor shall be shown at the hearing.

7. *How admitted to the record.* To become part of the record it is necessary for the witness, or some one qualified to represent him, formally to offer the prepared statement in evidence at the hearing; and unless good reason shall otherwise appear, the statement will be admitted as an exhibit.

8. *Materiality reserved.* A prepared statement received in evidence with or without objection as to its admissibility is subject to subsequent challenge as to the weight to be accorded to the facts in such statement.

9. *Witness examination.* The examination of a witness should be conducted in a manner so as to make it rapid, distinct, and as little annoying to the witness as is consistent with eliciting the facts, and to this end counsel on the same side of an issue should agree upon one person to examine a witness.

10. *Proposed findings; oral argument.* At the close of the testimony the examiner shall call upon the parties to read into the record, or offer as an exhibit, a concisely prepared statement of numbered findings of fact and conclusions thereon which they believe should be made; and the parties should be prepared, as contemplated by Rule 88 of the general rules of practice, orally to argue the proceeding, or, in lieu thereof, to offer as an exhibit a written statement of oral argument.

And it is further ordered, That in addition to service hereof upon all parties of record, a copy hereof also shall be filed with the Director, Division of the Federal Register.

Dated at Washington, D. C., this 14th day of November A. D. 1952.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12523; Filed, Nov. 24, 1952;
8:47 a. m.]

